

news

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Seasonal scatology and humbug in the House

The Tories are tetchy, Labour's tetchy, I'm tetchy, it's that time of year when preparing to be happy is driving us all mad. Only the Ulster Unionists are unaffected by the season – and that's because they are always tetchy.

After battling with mad shopkeepers and then (if you're a minister) enduring the departmental Christmas luoch (at which you cannot afford to misbehave) – you stagger into the House and sit uncomfortably in the Chamber, the juices of the various beverages, puddings and roasts you have consumed congealing in the bends and corners of your digestive system. And then some bastard asks you a question.

If you're very unlucky – as Environment minister Robert



You stagger into the House, Christmas hench congealing in your digestive system

Jones was – this will be Rhodri Morgan (Lab, Cardiff West) wanting to know about "facial streptococci" (or poo, as we English call it) in Welsh seawater. Now, this was the last thing that the fastidious Mr Jones wanted to talk about, and he replied thus: "The honourable gentleman revels in undermining the British tourist industry". Mr Morgan's colleagues (like me) presumably believe that it is the facial streptococci that do the undermining: a swimmer finding herself face to face with drifting turd will not blame Rhodri Morgan for having brought it to her attention. So Michael Meacher (remember him? He's in the shadow cabinet) pointed out that – this year – 47 beach towels were found to be below stan-

dard – some chronically – an increase over 1995. The bearded Mr Jones (who now had completely forgotten that the ostensible purpose of ministerial question-time is for him to be asked questions and then to answer them) told Mr Meacher all about the "last Labour government, of which he was a particularly undistinguished member". Maybe, but whenever I see shit in the water, I shall always think of Mr Jones.

This scatological theme spilled over (so to speak) into Prime Minister's Questions. Maria Fife (Lab, Glasgow Maryhill) kicked off with a question in Gaelic (I think) in which the only words that I could make out were "restricted incontinence pads to two per person". I know that such pads are not funny and that one day I shall be grateful for them etc. But following on from the streptococci and Christmas dinner, it was all getting to me. Mr Major is more gracious than his junior colleague, and forebore from accusing Ms Fife of talking down the British sanitary industry. Instead he reminded everyone of the 70 improvements in primary health care announced that very day.

It only remained for Tony Blair to wish the Prime Minister a Happy Christmas – which he did in his own inimitable way by asking for the unprecedented time about the BSE crisis. Most of us in the gallery have only to hear the words "What is the date by which..." before we groan with boredom, run our arthritic fingers through our thinning locks, and wonder how on earth we are going to survive about this yet again.

Each time it's the same: one discovers from JM that he has no timetable for the BSE crisis to be lifted, and then reminds him that – back in May – he said it would all be over by Christmas. Which is very, very boring of Mr Blair. And yet if anyone examines Hansard for the 21st May – the day on which Mr Major declared the Semin and Iallow War officially open – they will discover what the PM secretly knows: that this exercise in foreign-baiting, blame-shifting, banner-waving and back-covering was both discreditable and (inevitably) futile. Only when he admits it should he be allowed off the hook. Harrumph.

significant shorts.

E. coli death toll continues to rise

The Scottish E. coli food poisoning outbreak is now the second-worst on record with the death of its 13th victim.

The six, freed by Judge Paul Clark at Oxford Crown Court, are due to be released from Buldington prison. They had been held there on remand charged with raping the woman between May 27 and 28 this year.

The accused men, all serving with the Royal Electrical and Mechanical Engineers, were released on condition that they did not contact any prosecution witnesses, reside where instructed by the Army while on duty, and at their home addresses while on leave.

No Lockerbie service after Dunblane

Relatives of British victims of the Lockerbie air disaster have decided against holding their customary memorial service in London this year.

Sympathy for the plight of the families bereaved in Dunblane – and a wish not to deflect attention from that massacre – was given as one of the reasons. It will be the first time in eight years that the Lockerbie disaster has gone unmarked by a pre-Christmas service in London.

Fraud case diplomat flies out from UK

A senior woman diplomat has left Britain after her alleged involvement in a £36,000 housing benefit and income support fraud. Iris Ramirez-Paget, First Secretary at the Honduran Embassy in London, was recalled to Honduras after the Foreign Office took up the issue.

Bankers vote for walkout

Staff at 3,000 Lloyds-TSB branches have voted for a festive half-day walkout on Christmas Day in protest at management's decision to stay open until 4pm. Their colleagues at NatWest however voted narrowly to keep working despite the company's decision to make them work normal hours.

Human-rights experts welcomed the ruling but expressed anger in government circles yesterday was such that the Tory Euro-sceptic Sir Ivan Lawrence, chairman of the Commons Home Affairs Select Committee, declared himself in favour of incorporating the European convention into British law so that cases could be decided by British courts.

The judge at Norwich Crown Court, Mr Justice Kay, told the jury of six men and six women: "It has been obvious to me that you all paid close attention throughout the case. It is not your fault that at the end of the day you reached different views." Louise Jervis

Aliens leave no claims bonus untouched

An insurance company which will pay £1 million this week to a man who took out a policy against being abducted by aliens says it intends to make a profit by selling the claim.

The insurer, Goodfellow Rebeca Ingrams Pearson Ltd, said it was negotiating with a US media group which is willing to pay more than £1 million for physical evidence including photographic footage provided by Joseph Carpenter, who says he was abducted by aliens near Swindon in October.

Mr Carpenter insisted yesterday that his claim was not a hoax, and his insurers said "We do not just pay out £1 million like that".

Card seller

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Cause célèbre: Mr Saunders savouring yesterday's decision. He may try again to have his convictions quashed

European Court says Guinness boss convicted over Distillers battle was tried unfairly

Patricia Wynn Davies
Legal Affairs Editor

The Serious Fraud Office yesterday pledged strongly to oppose any attempt by the former Guinness chief Ernest Saunders to get his fraud convictions quashed after the European Court of Human Rights ruled his trial had been unfair.

The Strasbourg judges said the prosecution's use of transcripts of interviews obtained under compulsion by Department of Trade and Industry inspectors investigating the 1986 Guinness takeover of Distillers broke Article 6 of the European Convention of Human Rights, which guarantees a right to a fair trial. Use of incriminating interviews was a "marked departure" from one of the basic principles of fair procedure.

While Britain's judge, Sir John Freeland, endorsed the judgement, the ruling is still a serious embarrassment in the Government, which sought to urge the court to interfere less in UK affairs and which had wanted finally to close the door on the Guinness scandal.

Instead, the ruling has opened the way for Mr Saunders to ask the new Criminal Cases Review Commission to consider sending his case back to the Court of Appeal for what would be the third time.

The inspectors' report into the affair is also expected to be published. SFO investigating powers are less draconian than those available to DTI inspectors under the 1985 Companies Act. But yesterday's decision could have far-reaching ramifications for other City legislation, including the 1986 Financial Services Act, which regulates investment businesses and likewise obliges witnesses to answer

questions on pain of imprisonment, and some insolvency powers. Mr Saunders was one of four convicted over an illegal share-support operation which secretly paid out £25m in "success fees" and commissions in return for help in getting the Guinness share price in the £2.7bn battle for Distillers against the Argyll Group.

Statements obtained by the inspectors, David Donaldson QC and Ian Watt, were in turn the cornerstone of the prosecutions for false accounting and theft and conspiracy and were

used, the court said, to cast doubt on Mr Saunders' honesty and establish his involvement.

Exactly 10 years after the investigation began, a specially convened Grand Chamber of 20 judges ruled 16-4 that Article 6 protected the right to silence and the right of an individual not to incriminate himself. Whether or not the answers to the inspectors were directly incriminating, they had been used by the manner which sought to incriminate and it was on defence for the Government to invoke the public interest in

investigating and punishing those responsible for complex corporate fraud.

There was some consolation for the Government, as the court rejected claims by Mr Saunders of £3.6m in lost earnings and £1m for "anxiety, anguish and imprisonment". They also cut his claim for legal costs and expenses from £336,360 to £75,000 after ruling the bulk of the fees, including those of Mr Saunders' unqualified advisers, George Devilin and his wife, had been unnecessarily incurred or were unreasonable. Mr Saun-

ders, who can now command £800 a day as a business consultant, told a news conference he would have been acquitted if the evidence now discredited by the Strasbourg court had been ruled inadmissible, saying he now felt "innocent".

The Court of Appeal has twice before rejected his challenges to his convictions, although on the first occasion it halved his jail sentence in the light of medical reports suspecting the early stages of some form of Alzheimer-type disease. The DTI and SFO seized

on the fact that the court declined to speculate on whether the outcome of the trial would have been different had the transcripts not been used.

Human rights experts welcomed the ruling but expressed anger in government circles yesterday was such that the Tory Euro-sceptic Sir Ivan Lawrence, chairman of the Commons Home Affairs Select Committee, declared himself in favour of incorporating the European convention into British law so that cases could be decided by British courts.

He added that there had been no great clamour from customers to keep branches open late and his members would be walking out at 12.30pm. Cash dispensers would be filled before staff leave.

Barrie Clement

Unions urge block on £500m pension windfall

Christian Wolmar
Westminster Correspondent

Rail unions have called on the pensions ombudsman to stop a £500m rail pensions surplus being distributed to private rail companies.

The move came yesterday as the Government faced the prospect of having to pay back £1.1bn taken from the pension fund of bus workers just before privatisation of the National Bus Company in 1990.

Richard Rosser, general sec-

retary of the Transport Salaried Staff Association (TSSA), said yesterday that the unions would try any way possible to prevent the privatised rail companies from benefiting from the surplus.

He said: "They stand to make a small jackpot out of these funds and yet they contributed nothing towards them."

The move came after Sir George Young, the Secretary of State for Transport, reacting to *The Independent's* revelation about the

windfall yesterday defended the right of companies to claim these surpluses.

He told BBC Radio 4's *To-day* programme: "It is perfectly in order for any surplus to be shared between members and employers."

The Pensions Ombudsman has already found in favour of National Grid and National Bus Company pensioners in their efforts to reclaim surpluses which ended up in company or government coffers.

Yesterday, National Bus

Company pensioners delivered a "Scrooge" Christmas card to the Department of Transport to press their case to recover the £68m appropriated by the Government after the privatisation of the company.

In September, the Pensions

Ombudsman ruled that the Government had no right to the money from the Bus Employees Superannuation Trust, and told the pension-fund trustees to take all practical steps to recover the money from the Department of Transport.

However, the department

has now decided to replace

the trustees with the official

and, in a separate move,

the union has been told

that it can begin a legal action

against the trust if it does not

comply with the Ombudsman's

ruling.

The weeks ago, the Pensions

Ombudsman ruled that the Na-

tional Grid staff should repay the £4.4m it took from the pensions

fund after privatisation, opening

the possibility that a total of

£500m may have to be paid

back by privatised electricity

companies.

THE INDEPENDENT ABROAD

OVERSEAS SUBSCRIPTIONS
Australia ... £2000/Year ... £5.00
Belgium ... £1200/Year ... £4.00
Canada ... £2000/Year ... £4.00
Caribbean ... £1000/Year ... £2.00
Denmark ... £1200/Year ... £4.00
Finland ... £1200/Year ... £4.00
France ... £1200/Year ... £4.00
Germany ... £1200/Year ... £4.00
Iceland ... £1200/Year ... £4.00
Ireland ... £1200/Year ... £4.00
Italy ... £1200/Year ... £4.00
Japan ... £2000/Year ... £5.00
Norway ... £1200/Year ... £4.00
New Zealand ... £1200/Year ... £4.00
Netherlands ... £1200/Year ... £4.00
Nigeria ... £1200/Year ... £4.00
Norway ... £1200/Year ... £4.00
Pakistan ... £1200/Year ... £4.00
Peru ... £1200/Year ... £4.00
Portugal ... £1200/Year ... £4.00
Russia ... £1200/Year ... £4.00
Spain ... £1200/Year ... £4.00
Sweden ... £1200/Year ... £4.00
Switzerland ... £1200/Year ... £4.00
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Transplant miracle that helps disabled children take hold of their dreams

Susan Emmett

A pioneering technique to help children without fingers by removing a toe and grafting it onto the hand was hailed as a success in a report published yesterday by the British Society for Surgery of the Hand.

This complex and rare operation, previously thought suitable only for adults who had lost a digit, was successfully carried out on 40 children between the age of nine months and 14 years at St James's University Hospital, Leeds.

At first, doctors were unsure whether the technique could be used on children born with hand abnormalities, as they might not have the necessary tendons in their hands to graft onto a new digit. Children's blood vessels were also believed to be too small for such an operation.

But 35 of the 40 children who underwent surgery between 1988 and 1994 were born with hand anomalies. Five had hand injuries.

The result may not be perfect — the transferred toes still look like toes — but with time and further surgery, children are able to use the new digits as

fingers. Depending on the degree of deformity at the start, the operation will restore a child's ability to pinch, grasp or squeeze.

A follow-up study showed that over 90 per cent were able to grip paper and Lego blocks, pull Lego blocks apart and twist jar lids on and off.

One patient, 10-year-old Stacey Carter-Brooks, from York, was even able to realise her dream of playing the piano after surgery to her right hand.

"I know it is not a cosmetic hand," said Mr Simon Kay, consultant plastic surgeon at St James's University Hospital.

"But it's an extremely functional hand. You have to be clear about the goals of surgery, whether restoring function or appearance. Both of the cases are very important. Hands are

soo view the whole time, like a face. You speak with your hands."

Having made the new digit function, Mr Kay works on restoring feeling and flexibility to the "finger" and revising its appearance. A year after the initial graft, the pulp under the toes is removed to make them less blobby and more finger-like.

In some cases, the tendons and joints are loosened to allow greater movement, and the new finger becomes stronger with time.

Nearly every child thought the appearance of their hands had improved, and 71 per cent

said that they used their new digits almost all the time. In none of the cases was there any negative impact on the child's happiness, confidence or self-consciousness.

Only 34 per cent experienced teasing, but this was thought to

relate to the hand deformity in general and not the toe transplant. The effect of removing a toe from a healthy foot was also less drastic than expected, as its absence is not glaring and scarring is limited.

According to the report, the

best time for this type of surgery is at the age of two, when the child can get over the experience of going to hospital more quickly.

Experts are not sure how many children are born with hand abnormalities, and not all

sufferers are suitable for this treatment, which is still very rare. So far, only around 100 toe to hand operations have been carried out since the early Seventies. The first such operation was conducted on an adult in 1968.

Stacey Carter-Brooks (above) plays the piano for her mother. The ground-breaking surgery, in which toes are transferred to the hand, (below left) can give a remarkable increase in the prehensile function of the hand (below right)

Photographs: St James's University Hospital/PA



Card sellers show little charity

Jojo Moyes

Record amounts are being spent on charity Christmas cards, with many buyers apparently not realising that their chosen charity may receive less than 2 per cent of the sale price.

Labour is calling for charities to receive a statutory minimum share from shops selling Christmas cards in their name, after unpublished figures from the Charities Advisory Trust revealed many "royalties" to be shockingly low.

The worst offender in a survey of this year's Christmas cards is a set sold by the chain Books Etc and published by Roger la Borde, from which charities for the homeless

receive 1.8 per cent. That compares to the 20 per cent given by Debenhams to the Cancer Research Campaign for Debenhams' own-brand charity cards, or the 25 per cent of Card Aid, the CAT's own outlet for more than 100 charities.

Charities license their names to publishers for a share in royalties, often determined by the publishers themselves. Nigel Griffiths, Labour's consumer affairs spokesman, said he had been pressing the industry to set higher royalty targets.

"Two per cent is ridiculous. I would like to see 30p in the pound," he said. "The problem is that the lottery has put a lot of pressure on charity funding, so charities are being virtually blackmailed into letting their names be used for very low returns. If someone offers you £5,000, you might not realise that they're making £100,000."

Publishers say their profit is minimal. But while they make the donations to charity, retailers make handsome, largely undisclosed profits from the cards, as well as receiving the vicious goodwill of shoppers. As the donation is fixed, the higher the retail price, the lower the percentage the charity receives. John Proctor, managing director of Scribbler, a retailer whose charity cards, with an average 4 per cent donation, are among the worst in the survey, said he considered them "just another product line" and that

profit margins were irrelevant.

Hilary Blame, CAT's director, said chains such as Woolworths and Sainsbury's were "muscling in" on the charity card of the £350m Christmas card market, cutting costs by publishing their own while donating around 10 per cent. "There's an enormous amount of profit there," she said.

Sainsbury's, one of the few stores to comment, refused to say if it made a profit on charity cards, but stressed that it supported charities all year round.

In recognition of fears that charities were being exploited, the 1992 Charities Act forced Christmas card publishers to state how much money goes to the given charity. According to the CAT many such statements

are at best opaque and at worst misleading, using terms like "retailer's purchase price".

One batch of royalty cards sold through Books Etc states: "By buying this card you have made a donation of 8 per cent of the wholesale price to Friends of the Earth." The actual percentage of the £3.50 sale price received by the charity is 3.4 per cent, or 12 pence.

Charities themselves are unwilling to bite the hand that feeds. A spokesman for Shelter said the average profit it would accept would be about 10 per cent. "But if, for example, you manage to get a deal with WH Smith for 2.3 per cent, with their huge distribution that would be quite a good deal."

THE CARD GAME: FROM THE STICKS COMPARE

Retailer	Charity	Percentage of retail price to charity
Books Etc	"Homeless Charities"	1.8
Scribbler	Shelter, Crisis	2.0
Neal Street	Care Britain Trading	2.9
Heals	Friends of the Earth	3.0
DH Evans	Greenpeace	5.0
John Lewis	Macmillan Cancer Relief	5.3
Habitat	Save The Children	5.6
Rymans	Oxfam	6.7
Post Office Shops	Save the Children	7.9
Waitrose	WaterAid	8.6
THE BEST		
Card Aid	100+ charities	25.0
Clinton	ICRF	20.2
Debenhams	Cancer Research Campaign	20.0
Papercraft	Honey Pot Home	18.2
John Lewis	RNIB	14.2
WH Smiths	Guide Dogs for the Blind	13.3
Tesco	Barnardos	12.5
Woolworths	Muscular Dystrophy	11.0
Post Office Shops	RSPCA	10.1
All figures compiled by Charities Advisory Trust		

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Labour goes crackers over pay disgrace

Barrie Clement
Labour Editor

Homeworkers in Britain are paid between 1p and 2p for making a Christmas cracker which sell in the shops for anything up to £2.50.

Boots the chemist is supplied by women working at home as "sub-contractors" who earn just over 2p, while workers who are contracted to Fine Art Developments, which supply many high street retailers, receive around 1.5p. The National Group on Homeworking estimates that some people are paid considerably less than 1p.

Ian McCartney, Labour's chief employment spokesman, said the wage rates were not high enough to be portrayed as poverty wages. "This is slave labour," he said. "Scrooge simply isn't a character in Dickens, the tragedy is that he actually exists. The pay of homeworkers is a disgrace. I wonder how many people who are buying their Christmas crackers in high street stores realise how little the people who are making them are paid."

Mr McCartney said that under a Labour government a statutory national minimum wage would include homeworkers for whom pay is difficult to police.

Denise McKenna, acting coordinator of the National Group on Homeworking, said the amount of money paid to workers who supplied Boots was at the top of the range. "Many are paid far less. One company pays £8 for 1,000 Christmas crackers. If you are desperate for money you will work for virtually nothing," she said.

A spokeswoman for Boots pointed out that the retail price included materials, transport and retail costs. In a letter to Mr McCartney from Jayne Mayled, head of customer services at the company, she insisted that the flexibility offered to workers was often very attractive to those with family responsibilities.

"This method of working is particularly suitable for the domestic arrangements of a number of people as it provides them with an opportunity to earn money whilst continuing to look after their families at home and without the necessity to travel to and from a workplace."

Homeworkers making Boots crackers are supplied with a "kit" of components necessary to produce a batch of 1,800 crackers, for which they are paid between £38.80 to £49.60.

She said typical earnings per week ranged from £25 to £166 with one worker earning £221. However, it should be emphasised that each home-worker could determine the amount of work he or she wished to undertake and therefore also the consequent remuneration.

A spokesman for Fine Art Developments said trials had shown that homeworkers were capable of earning £6 an hour.

news

Tory reforms blamed for schools gridlock

Judith Judd
Education Editor

Parental choice, the keystone of the Government's education policy, is in danger of collapse as school admissions risk gridlock, an influential independent body said yesterday.

Contradictions in government policy and weak local authorities are to blame, says the report from the Audit Commission, which offers a powerful critique of the Government's efforts to introduce market forces into schools.

One in five parents now fails

to get their first choice of school – twice as many as previous official estimates – and in inner London the figure is almost half.

While popular schools are bursting at the seams with oversize classes, unpopular ones have 900,000 empty places.

One school in six is less than

75 per cent full while one in three breaks the Government's restrictions on the number of pupils it admits.

The Conservative educational reforms have tried to raise standards by encouraging schools to compete for pupils and funds. In the schools

marketplace, ministers believed, the strong would flourish while the weak would get better or go to the wall. But the Commission says the reality is different. Government attempts to promote competition between schools have failed either to improve struggling schools or to force them to close.

Although the Government has said that it wants popular schools to expand, it has not provided the money for them to do so.

Meanwhile, the contradictions in Conservative policy are encouraging the waste of millions of pounds each year. At least 40 per cent of surplus places could be removed without endangering parental choice at a saving of £100m, the report says.

Yet the Government's determination to persuade schools to opt out of local authority control makes councils unwilling to close schools. Ministers have allowed more than 40 schools under threat of closure to become grant maintained.

While they want oversubscribed schools to expand, the Department for Education will

not usually provide money for

this while empty places exist in neighbouring schools.

Some reforms have led to important changes but market reforms have left local authorities with too little power to intervene in admissions and planning. "Unwanted and unnecessary school places lock up scarce resources which could be used elsewhere. Class sizes continue to rise in popular schools. Appeals are on the increase. Schemes for school rationalisation are decreasing. Government and local authorities blame each other. The system risks gridlock."

The Commission asked for a poll into the number of parents who get their first choice of school. About 10 per cent failed to secure a place at their first choice school and a further 9 per cent did not express a genuine preference, because they believed they had no chance of getting a place at the school that they really wanted.

In some places parents face a bewildering array of admissions arrangements, mainly because of new types of school created by the Government.

In Sutton Coldfield, Birmingham, parents may express a

preference for up to seven different types of school and have to deal with six different admissions authorities. They can hold on to a sheaf of offers and not make their final choice until the start of term.

Plans for successful schools to run less successful ones, which were suggested on Monday by Tony Blair, the Labour Party leader, have also been outlined in the report.

Robin Squire, the education minister, accused the Commission of deviating its research by reaching simplistic conclusions. There was no gridlock, he said.

"As the commission acknowledges, Government policies have driven up standards. I am sure that it is not suggesting a return to the dreary, monolithic system of education bereft of choice," Mr Squire commented.

But David Blunkett, Labour's education spokesman, said: "Today's report is a devastating indictment of how the Tories have failed on key aspects of their education policy. The report warns of the need for sensible local planning and backs Labour's proposal for regular education plans."

IRA jailings safe despite lab errors

Ian Burrell

The Government is to consider setting up a new Inspectorate of Forensic Science after an official report criticised the handling of evidence by the Government's forensic explosives laboratory (FEL).

Professor Brian Caddy, of Strathclyde University, set up an inquiry last May after it emerged that a laboratory centrifuge used by FEL to test evidence against bombing suspects was contaminated by traces of an explosive known as RDX, found in Semtex.

Yesterday, however, Michael Howard, the Home Secretary, told the Commons that Professor Caddy's report cast no doubt on the safety of the convictions of 14 IRA terrorists thought to have been affected.

During a five month inquiry into 124 cases, including the IRA convictions, Professor Caddy found that the Government laboratory was seriously under resourced.

He called for it to be given more money to employ extra senior staff and to buy monitoring equipment to limit the risk of future contamination of forensic evidence.

The professor also recommended improvements in the storage of case records and a review of procedures for the recovery of items taken from the scenes of explosive incidents.

He found that there had been an error in the monitoring of background levels of explosive traces associated with the centrifuge in the laboratory.

Professor Caddy described this error as "a scientific oversight which is unacceptable and must be criticised".

However, none of the control samples analysed were contaminated within the centrifuge, he concluded.

Professor Caddy said: "From my view of all FEL case files over the period 1988 to 1996 in which the explosive RDX was involved, I can find no evidence which leads me to believe that the explosive trace evidence is unsound."



Winter, one of the four Sheldon tapestries at Hethel House, Hertfordshire, the seat of the Marquess of Salisbury. The tapestry's restoration was recently completed by a skilled volunteer group set up by Lady Salisbury which will celebrate 20 years' work next month. Photograph: David Rose

'Evita' puts spotlight on creative feud

David Lister
Arts News Editor

A very English coolness between two knights of the realm could put a cloud on the Hollywood glitz of the film premiere of the year, when *Evita* opens in London tomorrow.

And whether even Madonna – the star of the film – can manage to get *Evita*'s creators, Sir Andrew Lloyd Webber and Sir Tim Rice to share the same cinema is looking uncertain.

She certainly won't managed to get them to share the same room. When Madonna gives a press conference today she will see Sir Andrew at her side. But Sir Tim, who has been invited, will not be present.

Sir Tim failed to attend the American premiere in Los Angeles at the weekend, prompting Sir Andrew to say: "I don't know what gets into his head. He's a funny boy sometimes."



No love lost: Sir Tim Rice and Sir Andrew Lloyd Webber

a first-night person, though he might go as his hasn't seen the film of *Evita* yet.

Sir Tim's ex-wife, Jane Rice, entered the fray yesterday, complaining in a letter to a newspaper.

"It would be helpful if journalists who write about *Evita* would not refer to it as an Andrew Lloyd Webber musical... It was Tim Rice's idea in the first place; all the initial research in 1974 was done by him, and every word of the show was written by him."

A close associate of Sir Andrew said yesterday: "Of course it's not just an Andrew Lloyd Webber musical, but journalists probably write that because Tim never shows up." Sir Andrew's spokesman said: "Andrew is very much looking forward to seeing Tim on

Thursday. We assume that he will be there."

It was also noticed that Sir Tim failed to attend the first night last month of another of their joint ventures, the West End revival of *Jesus Christ Superstar*.

He said he was on holiday in Lowestoft at the time.

Sir Andrew's biographer, Jonathan Mantic, said yesterday: "Tim Rice has felt very aggrieved that he has been replaced over the last 18 years by so-called jobbing lyricists. Lloyd Webber is a control freak who is prepared to blow out a friendship that Tim Rice thought would last for ever. Rice, I am sure, is resentful..."

"In a way it is appropriate that Eva should highlight their disillusionment with each other, for it was while working on the original in the Seventies that they began to get rather irritated with each other. Rice was too laid back for Andrew. He would go off and watch cricket instead of coming to meetings. Lloyd Webber hated that."

Adapting the original musical to film meant director Alan Parker having to bring Rice and Lloyd Webber together. He had 146 changes to the original score and lyrics to submit to them. He also wanted one new song. Parker recalls: "The possibility of these two gentlemen ever collaborating again was, I was told by many who knew them well, an idealistic but not overly practical notion." They did eventually meet, but worked separately on the new song.

Southampton and Swansea institutes of higher education were both criticised by the council this year for failing to ensure quality checks on degrees offered abroad matched the level of scrutiny at home.

The council's director of quality assurance Peter Williams said yesterday the survey had not uncovered any horror stories, "though that is not to say that horror stories don't exist".

UK universities, some of whom had set up partnerships only recently, were still on a learning curve, he said. "We did find good programmes but we would call variable practice – that is practice which we did not feel added up to security."

Most universities had failed to set out clearly enough in initial agreements with partner institutions overseas arrangements for checking the interests of students, the study found.

Responsibility for monitoring had often been left to individual departments in the home university, hampering quality control. Some universities had rushed into deals despite knowing little about a partner institution "to beat off potential competitors". In some cases, said the report, foreign governments had gained the impression that British universities relaxed entry requirements and standards for degrees offered abroad, triggering scepticism about UK higher education.

The council yesterday published a beefed-up code of practice, and is planning a series of "audit" visits next year.

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Prison for hard men in cash card fraud

Ian Burrell

It was to have been one of the biggest crimes in history. The great hole-in-the-wall swindle aimed to turn that icon of modern convenience banking, the cash dispenser, into the instrument that brought British banks to their knees.

John "Little Legs" Lloyd, an underworld hardman and his partner Kenneth Noye, wanted for the M25 road-rage murder, hand-picked a team of criminals to pull off an £800m fraud.

Lloyd was jailed for five years at London's Southwark Crown Court yesterday after admitting the conspiracy, and his son-in-law Stephen Seton, 42, was also jailed for four years; Graham Moore, 32, and Paul Kidd, 36, were both jailed for five years, and Moore's brother Stephen, 41, for three years.

John Maguire, 36, was sent to prison for two years and Billy Haward, 55, was given a suspended two-year prison sentence and fined £50,000.

The gang was thwarted by an unlikely crime-busting team, made up of a softly-spoken prison chaplain and a computer wizard who once tried to burn his wife and child to death.

The swindlers' plan had been to use the help of corrupt British Telecom technicians to tap into the telephone lines which link cash dispensers to bank computers. The taps would have given the gang access to confidential information about tens of thousands of accounts which was to be downloaded onto a computer. The data would have been decrypted and transferred to 140,000 plastic bogus cash cards.

Lloyd, 38, of West Kingsdown, Kent, and Noye, had established a worldwide network of criminals to use the cards to carry out fraud on a global scale.

"Their expectations were to raise hundreds of millions of pounds," said Anni Curnow, QC, for the prosecution. "But the sky, I think, was the limit."

Lloyd was "ostensibly" employed as manager of a van-and-car-hire business at Meopham, Kent, part-owned by Kidd, which was the front for the plot.

Maguire, of Nottingham,

Kent, made a succession of visits to BT exchanges during months of planning and test runs. Haward, of Yalding, Kent, offered his home as a safe house.

The gang's mistake was to recruit Martin Grant, 37, as its unwilling computer expert. Serving a 10-year sentence for trying to burn his wife and child to death, Grant – once described by a judge as "evil" – was studying for a degree in electronic communications and digital and logic design at Blantyre House open prison in Kent.

Fellow prisoners, acting for Noye and his associates, persuaded Grant to take a job at Kidd's garage as part of his parole resettlement programme.

On his first visit, he was introduced to Noye, who was convicted for the Brink's Mat robbery in 1983. Lloyd's common-law wife, Jean Savage, was also jailed for her part in the famous gold bullion raid.

At first Grant suspected nothing, believing he was employed to computerise the garage's customer operations. Then he was informed of his real task. "He was told he would get a full share and... there was a veiled threat that his mother would be sent some flowers," said Miss Curnow.

Grant first tried to sabotage the operation by corrupting a computer disk. Then he called Crimestoppers and various police stations. Eventually he confided in Blantyre's prison chaplain and one-time police officer, the Rev John Bourne. The prison governor was alerted and police were contacted.

Surveillance operations were set up as the gang invested an estimated £100,000 in an impressive array of computer equipment and other material. The gang moved to Haward's home, which had electrically-operated gates, guard dogs, and surveillance cameras.

When dozens of officers raided the house in July 1995, they seized 60,000 plastic cards and details of tens of thousands of personal bank account holders. Lloyd was caught red-handed encoding cash-dispenser cards.

Grant is now living in hiding. Police believe a £100,000 contract has been taken out on his life.

John Maguire (right) and friend carry two turkeys to the Queen Elizabeth public house in Saffron Walden, Essex, after the town's annual turkey auction; 220 birds were sold at the sale, which dates back to the 1920s. Mr Maguire's was the heaviest sold this year, weighing in at 44lb, and costing £63

Photograph: Brian Hems

Car number plate change spells end of August 'hump'

Clare Garner

Motorists may soon be able to pick their own vanity number plates if one option under a Government discussion document designed to reduce the August scramble for new cars is taken forward.

Proposals for a shake-up of the system include the introduction of American-style "vanity numbers" which would allow car owners to select any combination of up to seven characters – at an additional cost and subject to availability.

At present, anyone wishing to personalise their plates can buy "cherished numbers" – such as Jimmy's Babcock's CO MIC. The options are, however, restricted by a system which identifies the year of first registration by the first or last letter, and the area in which the vehicle was first registered by the last two or three.

There is what the Department of Transport described as



Sir George Young holds a selection of 'vanity' plates

a "healthy market out there" for personalised plates. Exchange and Mart has pages of advertisements for personalised plates from £50 to £500. According to the *Guinness Book of Records*, KJ NGS is the most expensive plate ever, fetching £231,000 at Christie's in 1993.

Launching the consultation

an age-based system, a system based on geographical areas, a combination of age and area identifiers, or a system with no age or area identifiers.

The present system is due for revision in 2004, when it comes to the end of the alphabet. If significant changes were to be implemented before then, Sir George would be calling on the motor industry to finance the additional costs involved.

The Society of Motor Manufacturers and Traders is keen on a quarterly change in number plates to eliminate the "August hump". "The present system acts against the interests of the manufacturer, the dealer and – most importantly – the customer," said Ernie Thompson, chief executive of the Society of Motor Manufacturers and Traders. "What is needed is a new system of registrations which will spread the flow of new-car sales more evenly throughout the year."

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£800m plot: Kenneth Noye (left) and John Lloyd

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Woman who killed brutal husband is spared jail

A battered wife who stabbed her hulking husband to death walked free from court yesterday after a judge said she had borne seven years of violence with "truly remarkable patience".

Leeds Crown Court heard that when Marjorie Toooley, 53, stabbed her drunken husband, Peter, through the heart it was the final straw in a catalogue of degradation and violence.

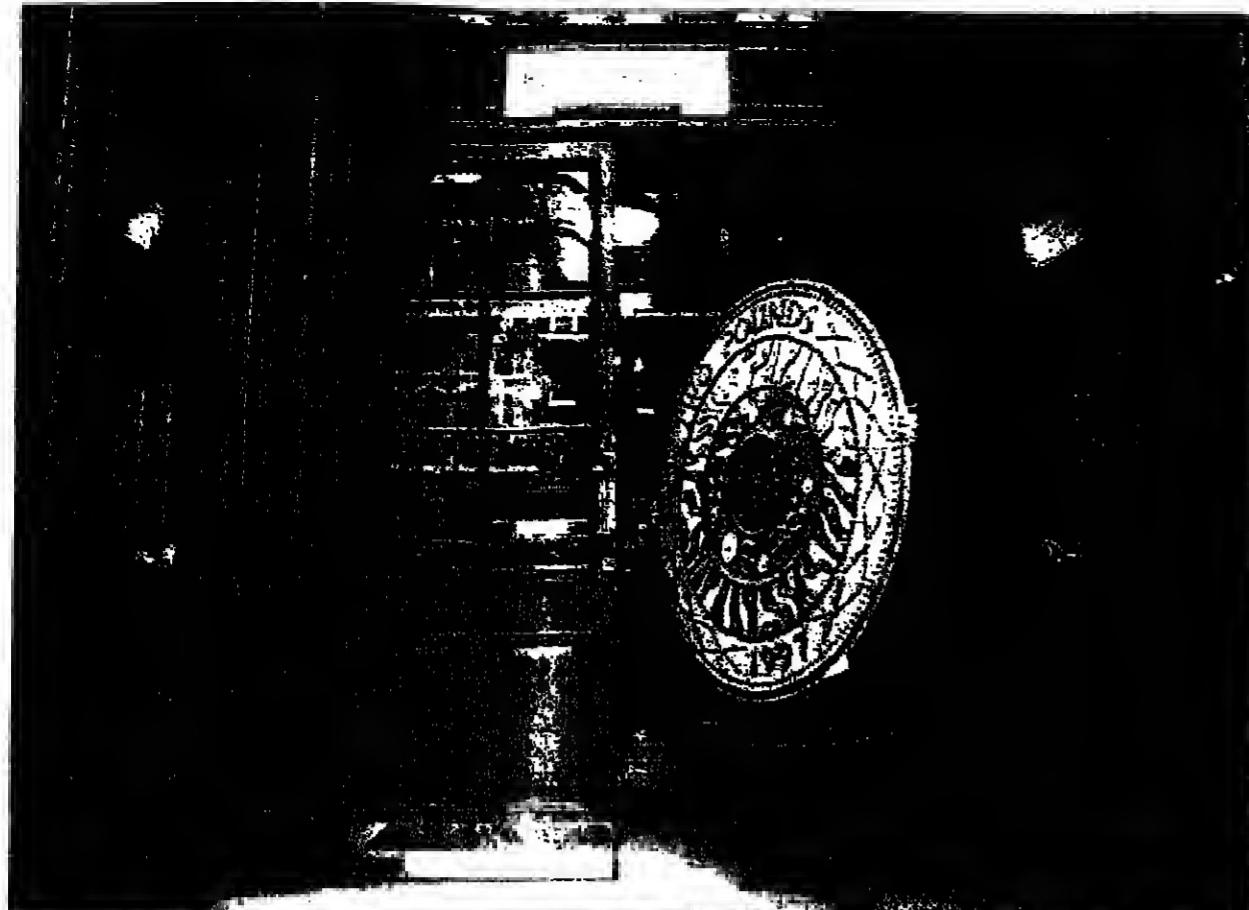
Mrs Toooley, a pub landlady, who pleaded guilty to manslaughter on grounds of provocation, endured seven years of physical assaults, including punches, kicks while she was on the ground, being strangled until she almost passed out and having her hand bashed against walls, said Mukhtar Hussain QC, defending

abuse at her, calling her a "slag and a prostitute", as she was buttering a teacake in the kitchen. He ordered her into the living room and raised his fist at her, and she stabbed him.

Sentencing her to three years' probation on condition that she receives psychiatric help, Mr Justice Ogmail told her: "You bore that chronicle of cruelty with truly remarkable patience and even more remarkable loyalty." The sentence "should most emphatically not be seen as a licence to kill".

Mr Justice Ogmail, of Justice for Women, which has supported Mrs Toooley throughout the case, called for the Government to consider an amnesty for all women currently serving life for killing violent men.

Mrs Toooley told police that her husband had been shout-



Loose change: A giant-sized model of the new £2 coin being shown off outside the Treasury yesterday. The new coin - designed by Bruce Rushin, a Norfolk art teacher - goes into circulation next November. Photograph: Andrew Buurman

Hopes raised by hint on easing beef ban

Katherine Butler and Colin Brown

Hopes that the first easing of the worldwide ban on British beef could begin within three to six months were held out yesterday by the Irish agriculture minister Ivan Yates.

He suggested that Northern Ireland could be the first region to enjoy a partial resumption of trade because of its low incidence of BSE and its unique cattle tracing system.

Welcoming the announcement that Britain will after all press ahead with a special slaughter of 100,000 cattle at risk of BSE, Mr Yates, who chaired yesterday's meeting of European farm ministers in Brussels, said it marked the beginning of a new phase, and "a significant step forward".

The ball is still in Britain's court. London must submit a blueprint for meeting EU conditions on herds certified free

of BSE - essentially grass-fed animals - which is the first of the steps for the gradual lifting of the ban set out in the Florence agreement.

The Government will not be ready to proceed until the beginning of February. Mr Hogg told EU colleagues yesterday. Evaluation of this plan will then be conducted by two expert committees before a decisive vote in the EU's standing veterinary committee.

In the Commons, the Prime Minister was forced to withdraw an allegation that Tony Blair, the Labour leader, was "misleading" the Commons in angry clashes over the Government's U-turn on the selective cull.

Mr Blair said BSE - "mad cow disease" - was a "symbol of this government's incompetence". But as John Major hit back, the Speaker, Betty Boothroyd, ordered the Prime Minister to withdraw the allegation that he had misled the

Commons, regarded under Westminster rules as unparliamentary.

Mr Blair's attack touched a raw Tory nerve, by pointing out that in spite of the selective cull, there was still no timetable for the lifting of the ban, which Mr Blair said had been promised by Mr Major after the Florence summit.

The Labour leader told Mr Major: "You said the timetable was in our hands; not in European hands. You said that as a result, at the end of November, the ban would be lifted. It is clear you had no such agreement. The timetable is in the hands of the veterinary committee [of the EU]. You cannot give us a date." Mr Major replied: "You are misleading the House." After the Speaker's intervention, he said it was done innocently but Tony MPs accused Mr Blair of "dissembling".

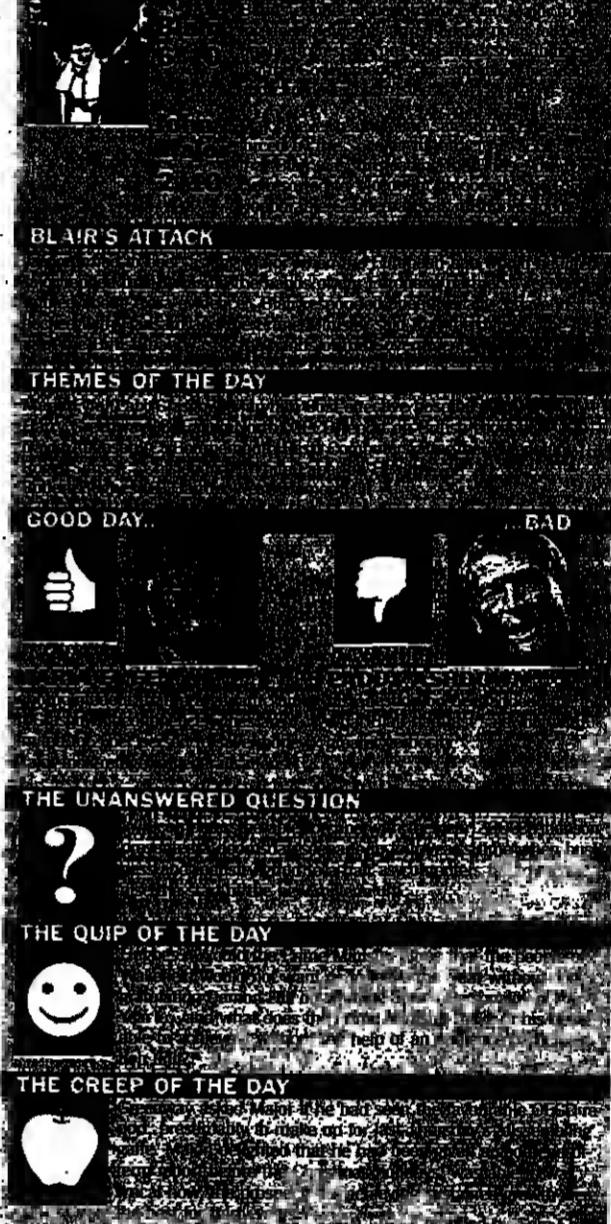
Although nobody in Brussels yesterday was prepared to offer

any certainty on a timetable given the likely difficulty in tracking high-risk cattle, Mr Hogg's announcement on the cull appears to have given a psychological boost to the negotiations.

Mr Yates said that if the "paperwork" in relation to certified herds can be dealt with in January and early February, these decisions could be expected "mid-year" at the latest. It also appears that while the Government has ostensibly bowed to pressure from Scotland to seek a "UK-wide" lifting of the ban for grass-fed herds, rather than special treatment for Ulster, the criteria will be framed in such a way as to benefit Northern Ireland farmers long before others.

This suggests that the Ulster Unionists, who effectively hold the balance of power in Westminster, have been given assurances from the Government that their farmers will be first to emerge from the embargo.

PRIME MINISTER'S QUESTIONS SCORING THE EXCHANGES



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Heritage chief broke the rules

Christian Wolmar
Westminster Correspondent

A former director of English Heritage who resigned after only 14 months breached rules on "the proper conduct of public business", according to an auditor's report covering the events leading to his departure.

Four main actions by Chris Green led to his hurried departure in July, Sir John Bourne Comptroller and Auditor General, found: the letting of an advertising contract and subsequent cover-up of the circumstances, "inappropriate business expenses" and the purchase, by English Heritage, of office furniture from Mr Green. While these were relatively minor matters and did not amount to fraud, it was clear that Mr Green could not continue in the job after the allegations came to light.

The most serious issue was the fact that in April 1996 he hired an advertising agency to run a short poster campaign on the London Underground at a cost of £161,000 without authorisation from the chairman and then tried to cover up the fact by writing a memorandum several weeks later which was back-dated.

He was involved in a "conflict of interest" over the purchase of furniture for his office from his flat in Edinburgh. Mr Green sold the furniture for use in his English Heritage office. The office services manager, having originally offered £3,762.50

(62.5 per cent of the original purchase price) increased the offer to £4,431 "having perceived that Mr Green was disappointed with the offer". The transaction was not cleared by the chairman.

The report also found that some overpayments had been made to Mr Green on his expenses, and that he had exceeded guidelines on the prices of meals for business contacts. However, he had paid for some meals out of his own pocket.

While Sir John's report is critical of Mr Green, the matters concerned are relatively trivial and most involve not having properly cleared things with the chairman. Sir Jocelyn Stevens, who sought legal advice as to whether Mr Green had been "guilty of gross misconduct". Sources of English Heritage say the real reason for Mr Green's departure was a clash with Sir Jocelyn. "Sir Jocelyn is a very difficult man," one said.

"There is a lot more to this report than meets the eye. There was something of a vendetta against Chris."

Another former employee of National Heritage said: "Sir Jocelyn likes to get his own way and Chris did not always agree with him."

Mr Green, 53, had previously had a highly successful 30-year career in the railways. He is now a consultant to Gibb Rail in Reading. He said last night: "I took responsibility for my actions by resigning last summer. I have the highest regard for the work and staff at English Heritage."



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Russian nationalists and Chechen extremists fall under suspicion after Red Cross killings

Phill Reeves

Moscow

We will probably never know what was in the warped minds of the individuals who pulled masks over their faces, clamped silencers on their guns and calmly executed six Red Cross workers – five of them women – as they slept in their beds in a rural hospital in the Chechen town of Novye Atagi.

But if their plan was to bring more chaos, they may have succeeded. The suspension of many International Committee of the Red Cross (ICRC) operations, the largest in the former war zone, is a heavy blow for Chechnya, which lies in ruins after 21 months of war.

Chechnya's neighbours have also been hit. The UN High Commissioner for Refugees (UNHCR), which has no staff in Chechnya itself, last night said it had halted work in the neighbouring republics of Dagestan, Ingushetia and North Ossetia for security reasons. High Commissioner Sadako Ogata expressed deep concern at the lack

of security for aid workers at a Geneva meeting with Russia's Deputy Foreign Minister, Nikolai Afanasyevsky, a spokeswoman said.

With precious little money coming from Moscow, the ICRC was meeting a desperate need. It was reopening schools, feeding thousands of people, providing medical care to the wards of rural Chechens whose homes and lives were wrecked as the Russian army mounted one attack after another on civilian settlements.

With peace at last – albeit an uneasy one – the agency was at last able to get on with reconstructing the sewage system under the wrecked city of Grozny, the republic's capital, which has been flooded and is in danger of leaking into the fresh water supply.

The agency was not always welcome – some zealous local Chechen Muslims had complained about its use of the cross as a symbol, but few could deny that it was providing a crucial service. Not any more, at least for the time being.

There was a belief yesterday among the Chechen leadership and among many in Moscow that the murders, which appeared to have been "professionally" carried out, were politically motivated.

The presumed aim was to disrupt the elections in Chechnya, scheduled for 27 January which form a key component of the peace deal with Moscow. The Chechen leadership and, at least ostensibly, the Kremlin were keen for the elections to be seen worldwide to be legitimate. International observers were to be invited.

Now foreign participation seems far less certain. So the opponents of the Chechen peace deal may well be able to claim that the results of the elections, which will create a separatist president, are questionable. They may now have to be delayed for this reason.

There are many such opponents. These include hard-line nationalist elements in Russia, including senior members of the security forces who were furious at President Boris Yeltsin's recent decision to withdraw all Russian troops from Chechnya. They regard the peace accord as an admission of defeat and a capitulation to terrorists.

The Chechens also have extreme voices who have made clear their loathing of the peace deal. For the last four days, Salman Raduyev, a radical Chechen commander, has been holding 21 troops from the Russian Ministry of Interior hostage, apparently in protest over the accord. That accord postpones a final settlement of Chechnya's status for five years.



Scene of slaughter: Novye Atagi hospital, and three of the victims (from top) Ingebjorg Foss, Gunhild Myklebust, and Hans Elkerboult. Photographs: Reuters

He has reportedly said the war should go on until Chechnya wins outright independence.

Yesterday Ivan Rybkin, the head of Russia's Security Council who recently replaced the sacked General Alexander

Lebed, arrived in Grozny, where he condemned the killings (as did Russia's Prime Minister, Viktor Chernomyrdin) and told reporters Raduyev's hostage-taking was a "pitiful failure".

As it dispatched aid workers to safety in the nearby Russian ethnic republic of Kabardino-Balkaria, the Red Cross made clear it was unwilling to resume full operations without a guarantee that its foreign workers

would be safe. The murders, said a spokesman in Moscow, were "an assassination".

Such guarantees will be hard for the separatists who now run Chechnya to give, unless the killers are caught. Yet without

Red Cross help, Chechens will have to struggle on, living in the wreckage of a war without adequate health care, water, or housing. The sorry history of a long-suffering people will only grow grimmer.



Murders force aid agencies to quit anarchy of Grozny

Christopher Bellamy
Defence Correspondent
Phill Reeves
Moscow

Aid agencies working in Chechnya and neighbouring Russian republics yesterday reacted with shock and disbelief at the attack which killed six Red Cross personnel – five of them women nurses – and wounded one.

All the international aid agencies had last night pulled their staff out of the immediate vicinity of Grozny, which was deemed too anarchic for them to operate in effectively, or were prepared to do so if the situation deteriorates.

"This is an attack directed at far more than six aid workers from the International Committee of the Red Cross", said Kim Gordon-Bates, a spokesman for the Geneva-based organisation, which operates in war zones to protect victims of war, whether prisoners, wounded or victims of associated diseases such as TB and polio.

"It is an image of conflict to come. It is what happens when people in positions of responsibility have hidden agendas. It is very serious writing on the wall. If someone wants to boast of the murder of five women in their beds – let them boast..."

The Red Cross had 20 workers in Chechnya. Last night the 13 who had not been wounded had been withdrawn to Nalchik, the main airfield for Grozny, used by the Russian forces in the disastrous military campaign terminated recently.

The Red Cross said the move was temporary and that the organisation remained independent of other international agencies. "We've frozen operations for now," Mr Gordon-Bates said. "A certain number of answers will be given: the who, the why. The people who did this knew what they were doing. They knew damn well it was a hospital. It was extremely well-marked."

The Red Cross make a point of being well-known in the areas where it is operating as this is the best form of security. The ICRC has a "Dissemination Department" whose job is to ensure every official and soldier on every checkpoint is told what the Red Cross does and why, and why the Red Cross should be allowed to do it. Only when full "political preparation" is complete does it set up a permanent base, such as the hospital where the staff attacked early yesterday morning were working.

The international aid agencies or non-governmental organisations recruit people, mainly in their thirties, with a wide range of relevant skills for relief and development work. Medical staff – doctors, nurses and medical technicians – are particularly valued. Service abroad with an international agency, gaining experience of primary health care and certain diseases rare in the West, is a step on the promotion ladder for many medical personnel, while others find work as a GP or junior hospital doctor in Western country dull frustrating. Former armed services personnel, officers and senior NCOs, are also attracted to the work.

Like everyone who works in the aid business in Chechnya, the Red Cross workers were willing to do their job amid considerable danger. Since the war began, in December 1994, two foreign aid workers – an American and a Finn – have been killed. Others have been subject to threats, intimidation, and kidnappings. This year nine people from the ICRC, have been kidnapped, for brief periods, in a rash of abductions from almost every aid agency.

One of these occurred at the Novye Atagi hospital this autumn, although it was quickly resolved by the agency, using its Chechen contacts. According to the Red Cross, security had since been tightened up, but the building was not heavily guarded. Clearly, the murders – a low point, even by the dismal standards

of blood-soaked Chechnya – were beyond anyone's worst expectations.

Yesterday leaders in Chechnya's temporary separatist-led government were quick to condemn the killings. The deputy prime minister, Mowali Udagov, described them as "a dreadful link in the chain of provocations aimed against the fragile peace in Chechnya".

But it will require more than words to coax the Red Cross back to the republic, where it has been providing extensive medical aid, food and other assistance. The agency, the largest in action in the war zone, will want solid guarantees that its workers will be safe.

Indian censors lay down the reel position on Kama Sutra

Indian censors are taking a variety of positions on the Kama Sutra. The film-maker Mira Nair, whose latest feature is inspired by the world's most venerable sex-book, says most of these would prove impossible for her. A special tribunal in Bombay will rule this week on Ms Nair's appeal against a ban on the uncut version of her film.

The review committee has called for the award-winning director to "delete sexuality" from her *Kama Sutra – A Tale of Love*, and specifies 14 explicit scenes that must be cut before Indian audiences would be allowed to see the film.

While battling to get her erotic vision passed by censors – who wanted only seven cuts after the initial viewing but recently doubled their list – Ms Nair has shown sneak previews of the English-language film to middle-class audiences in New Delhi and Bombay. (A Hindi version will also be released.)

In the cinema, there was utter silence as nude bodies writhed on screen. Close-ups of naked women caressing each other, the noises of foreplay,



The film-maker Mira Nair (left) is rocking society with a production of the most famous sex-book that 'empowers women', writes Jan McGirk in New Delhi

full-frontal nudity, and obvious oral sex under the blankets seemed to stun a sophisticated group more accustomed to coy Hindi film conventions. Even on-screen kisses were rare until the last few years, and nubile bodies still tend to be draped in wet saris. Passion, usually mimed by dancing around trees or made melodramatic in half-naked rape scenes, suddenly loomed large. "It was raw, and it did stir me," said Amrita, a young film-buff eager to see the latest work by the director

of the acclaimed *Salaam Bombay* and *Mississippi Masala*. "But there was nothing you could call raunchy."

Ms Nair said: "How do they expect us to have a nation with nearly a billion people without knowing about sex?" Educated in a Himalayan convent before attending Harvard and achieving international acclaim, the director is not oblivious to Indian sensibilities.

"It is absolute hypocrisy that India is not ready for this. It's just a visceral reaction to

flesh. Sex that is repressed becomes taboo, pernicious and twisted... These women [in the film] empower themselves. It is a narrative tale of sexual politics, back before the Mughals came. I try to marry Eros with the divine."

Ms Nair, who already has an Indian distributor lined up, plans screenings across India for all-female audiences – all-male audiences, and for couples only.

The idea emerged when women

viewers in Bombay requested

some cinema owners to ban men from afternoon showings of last year's controversial film *Bandi Queen*, by Shashi Kapoor. That film also suffered at the hands of the censors before being certified for distribution.

Kama Sutra, unlike the soft-porn *Emmanuelle*, which brought blue movies mainstream in the 1970s, is seen from a woman's point of view. The males are mostly insensitive brutes. A jealous servant girl winds up at a school for courtesans after she seduces her royal mistress's husband on the eve of the big wedding. Later she returns to give the spurned wife some pointers. Passionate, obsessive, selfish, and unrequited love – all are explored through this tale of rivalry. "Men generally feel threatened by this movie," Ms Nair said. "The women are so knowing." Ironically, a woman justice heads the censorship tribunal. "I think she caught my wavelength," Ms Nair said.

Kama Sutra – A Tale of Love stars Rekha, a fortyish star who crossed over from the potholes pumped out by India's "Bollywood", and casts her as a sexual maestro with provocative apprentices. It also introduces the beautiful Indira Varma as the plotting servant. After getting kudos in San Sebastian and Toronto, Ms Nair feared overexposure and withdrew the movie from the London film festival. It is due to premiere on Valentine's Day in the United States and should be in London cinemas by early spring.

PDS 'pact' spurs defections

Imre Karacs

Bonn

Seven prominent east German politicians announced yesterday that they were defecting to Helmut Kohl's Christian Democrats because they suspected their own left-wing partners of trying to forge an alliance with the heirs of the Communist regime.

Their decision put the Social

Democrats and the Greens on the defensive, forcing them to

deny any plans to strike an

electoral pact with the Party of

Democratic Socialism (PDS),

the third biggest in the east.

"I have said it many times, and I shall say it again: there can be no co-operation or coalition with a post-Stalinist party," declared Joschka Fischer, the leader of the Greens. Mr Fischer was reacting to news that one of his MPs, Vera Lengsfeld, had crossed over to the government benches because she felt the Greens were "prepared to help the PDS back to power in order to get into power itself".

Ms Lengsfeld, a civil rights activist arrested in the 1980s by the Honecker regime, has strong personal reasons for op-

osing a party which has so far refused to repudiate its past. In 1992 she divorced her husband, after discovering that he had spied on her for the Stasi. The six other new Christian Democrats, not in parliament, were also known opponents of the Communist regime.

Until recently, the Greens and the Social Democrats have maintained a common front with the right against the PDS, convinced that the ex-Communists would eventually fade away. Their calculations have turned out to be wrong, and party strategists now expect the

outcome of the next general election to hinge on votes in the east, and the mandates the PDS might be able to contribute to a putative "Red-Green" coalition.

The polls show that if elections were held today, the three parties together would in theory be able to dislodge Mr Kohl. But in practice, as the events of yesterday illustrated, even a hint of a deal with the PDS would exact retribution. Politics in the east continues to have a dynamism of its own, far removed from the fault lines which divide the rest of the country.

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Gripping stuff: The actress Rekha (right), playing the character Rasa Devi, teaching her students the 'throbbing kiss', one of the Kama Sutra positions. Photograph: Reuters

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Memory of 1974 keeps Cypriot peace deal grounded

Tony Barber
Nicosia

The gutted shell of a Cyprus Airways passenger plane lies on the tarmac of Nicosia airport, silent and sinister testimony to the failure of 22 years of international efforts to solve the island's problems. The plane, a Trident Sun Jet, bears the scars of gunfire from Turkish forces who foiled the pilot's attempt to take off with his passengers and

crew and escape Turkey's invasion of Cyprus in July 1974.

Twenty-two years later, not only is the plane still there, but the airport itself looks as if it has been trapped in time. Wall posters in the departure hall display advertisements for the kind of watches, cigarettes and beach holidays that people bought in 1974.

The perfectly preserved skeleton of a bird lies on the floor. Bullet-shattered windows

remind visitors of the fighting that erupted in and around Nicosia all those summers ago.

Such scenes speak of the mountainous task facing Britain, its European Union partners and the United States

as they try to launch the most serious effort at breaking the Cyprus deadlock since 1974. All declare that the *status quo* on Cyprus is unacceptable, yet the *status quo* at Nicosia airport has taken on the air of eternity.

It is the bleakest, emptiest airport in Europe, perhaps the world. All the clocks, information boards, luggage conveyor belts and signs at check-in desks and passport control were taken down long ago.

There are no people and no vehicles outside, except an occasional United Nations soldier driving a van. When no one is visiting, a UN officer locks the terminal building with a padlock labelled "Airport Keys".

The airport lies within a UN-protected area dividing the Turkish-held north from the Greek Cypriot government-held south of Cyprus. No commercial plane has been allowed to fly into or out of Nicosia since 1974, an inconvenience which obliges most people heading for the capital's Greek sector to fly into Larnaca 30 miles away on the south coast.

There was once a plan to re-open the airport for civilians, part of a set of UN "confidence-building measures" to promote an overall settlement. Even under these proposals, Greek and Turkish Cypriots would have used different entrances and exits to the airport.

If the airport is stuck in time, so are the attitudes of many on both sides of the island. Crossing from the government-controlled sector of Nicosia to the "Turkish Republic of Northern Cyprus", one sees a poster proclaiming: "Turkish murderers out of Cyprus" and then, on the Turkish side, a poster proclaiming: "The clock cannot be put back to the 1963-74 period".

This harks back to the slaughter of Turkish Cypriots in 1963, three years after independence from Britain. It is an episode etched as searingly in their memory as is Turkey's 1974 invasion and occupation of the north for Greek Cypriots.

Now the outside world is urging both sides to shed prejudices inherited from 1963 and 1974. The aim is to open direct talks next spring between the two communities' leaders, President Glafcos Clerides and Rauf Denktash.

Photograph: Adrian Brooks/PA

However, the world is making its long-awaited "big push on Cyprus" at a time when tensions on the island, and between Greece and Turkey, are higher than for many years. Five people have been killed in ethnic violence this year, and an arms race is gathering speed.

The difficulties were highlighted in a visit paid this week by Malcolm Rifkind, the Foreign Secretary. After issuing a 10-point proposal for ending the stalemate, he was criticised by



Denktash: Fears EU will quash separatist hopes

Greek Cypriots for talking about one "international personality" for Cyprus rather than a single undivided sovereignty.

At the same time, Mr Denktash swallowed him by rejecting any linkage between a settlement of the Cyprus dispute and the island's application to join the EU.

The Greek Cypriot-led government favours EU entry, but Mr Denktash fears that EU membership would spell the death of his separatist republic.

EU block citizens' right to claim asylum

Hong Kong's leader-to-be shows spirit

Stephen Vines
Hong Kong



Tung: must ensure 'money and politics do not mix'

To Peking was to gain an answer to this question. It is likely he will be received by both President Jiang Zemin and the Prime Minister, Li Peng, who should be in a position to give a definitive reply.

In Peking, the foreign-ministry spokesman told Hong Kong journalists that the stability of the civil service was essential for a smooth transition of power. This remark was taken to mean that the leaders of the civil service would retain their jobs. Fears have been expressed that China would exclude civil servants regarded as too close to the current British administration.

The spokesman also made it clear that although Mr Tung would nominate the policy-level civil servants, they would have to be approved in Peking.

Mr Tung will also discuss with Chinese leaders the operation of a provincial legislature to be formed next month and run in parallel with the existing Legislative Council, which China will abolish.

He has acknowledged that the existence of two parallel law-making bodies is problematic but insisted yesterday that Britain was ignoring reality by refusing to acknowledge the provisional body.

He said that doubts about its legality could be resolved by a simple act from the National People's Congress, China's rubber-stamp parliament.

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Stephens

obituaries / gazette

Professor Quentin Bell

Marvellous cheek lies behind the notion that levitation, the flouting of mass and weight, could become the subject of sculpture. For many years a horizontal lady with a vertical mane of hair hovered over Quentin Bell's garden, her seemingly bronze body in fact made out of fibre-glass. Quentin Bell's sculpture is only one aspect of a multi-faceted career sustained throughout by a courageous, exuberant questioning of preconceptions and accepted values. It was the way he coped with the weight of his inheritance. It also kept his innocence intact.

As the son of Clive and Vanessa Bell and the nephew of Leonard and Virginia Woolf, he was born into the very heart of "Bloomsbury". The year was 1910 and therefore he was, as he has said, used to say, coaxed with the first Post-Impressionist exhibition. He imbibed the tenets used to justify this art, regarded Roger Fry as his first teacher and took to heart Fry's premise: "in art we know nothing for certain." On leaving Leighton Park School Bell went to Paris to study painting, his artistic education leading him through a variety of styles, including abstraction and Surrealism, before his political inclinations directed him towards a more socially committed form of realism. In the late 1930s he joined the Euston Road School.

The death of his brother, Julian, in the Spanish Civil War caused an irreparable blow to all the inhabitants of Charleston, the family home on the Fircle estate in Sussex. This may explain why, when exempted from military service owing to a past history of tuberculosis, Quentin Bell remained there during the first half of the 1939-45 war, undertaking farm work and in his spare time collaborating with his mother and Duncan Grant on the decoration of the nearby Berwick Church. Brought into the political warfare executive by David Garnett, he worked briefly on propaganda for the French.

He also continued to make pots, having gone to Staffordshire in 1935 to acquire the necessary technical knowledge. His attitude to this art, however, owed less to tradition than to Roger Fry's belief that pottery is essentially a form of sculpture and its surface texture should express directly the artist's sensibility. Quentin Bell's mugs are often imperfectly shaped and at least one of his vases leaked. But because he resisted mechanical exactitude his pots and plates, with their blues, greens and gold lustre, unfailingly convey the pleasure he experienced in their making.

The importance to him during the last years of his life of his daily sojourn in his pottery hints at the frustration he may have felt during the 25 years he lectured on the history and theory of art. His distinguished career in education began at King's College, Newcastle, in 1952 and brought him professorships at the universities of Leeds and Sussex. He was also Slade Professor of Fine Art at Oxford University during 1964-65 and, the next year, Fergus Professor of Fine Art at Hull University.

Perhaps Bell's chief gift as a teacher was his use of humour to infiltrate his message into the minds of his listeners. At his published lectures reveal, he wore his erudition lightly and combined a combative stance with a conversational manner.

He developed an interest in Victorian and in particular Pre-Raphaelite art long before these came back into fashion. He also wrote on Ruskin, Roger Montané and the history of art education in the 19th century.

Less well known is a small book published in 1957 - *The True Story of Cinderella*, written and illustrated by Bell for his nieces. The overflow of his imaginative energy in his private life led to the devising of plays and treasure hunts, and to such vigorous ornamentation of Christmas cakes, baked in later years by his daughters, that



Bell: maverick with a roguish sense of humour

pot a scrap of icing sugar could be seen beneath the crystallised fruit, angelica and silver balls. His extravagant imagination delighted in fantasy and narrative. This became especially noticeable when clay finally took over from paint as his chief means of artistic expression. His terracotta figurines, one of which was entitled *Invisible Man Rapes Invisible Woman*, prove that nothing was beyond his grasp.

In these small sculptures he seemed to be turning his back on "significant form", to be flying in the face of what had become an established aesthetic orthodoxy. But if there was a teasing element behind his pursuit of the bizarre, erotic and anecdotal, his attitude to art was fundamentally serious. It was also in part shaped by his political awareness of art's relationship with society. This determined both his first book, *On Human Finery* (1947), a witty, erudite study of fashion, and the collection of essays *Bad Art* (1989), which attends to the many paradoxes surrounding the notion of "bad" art, not least the fact that bad art is often made out of desire on the part of the artist to produce that which society deems good.

The appearance in 1968 of his short book *Bloomsbury* signalled his acceptance of another significant role, one he occupied in a unique partnership with his wife, Anne Olivier Bell, whom he had married in 1952. Together they began the task of sorting through the great cache of papers that would explain his family's history and its cultural legacy to the world at large. To scholars of all nationalities, myself included, Quentin Bell offered availability and intelligence, patience and sternness, in an unremiring concern to make sure that the record was not falsified.

Whether he was rebutting the recurrent slipshod use of the term "Bloomsbury" or the wilder silliness emanating from the extremes of American

and English academic life, he consistently upheld facts and reason against bigotry and false argument. An important link in this development had been his friendship with Leonard Woolf. It might have seemed that Quentin, the maverick nephew with a roguish humour, was ill-suited to the task of writing the biography of Virginia Woolf. But it was Leonard Woolf, the personification of austerity and rationality, who asked him to do it. And despite subsequent biographies, including Lyndall Gordon's prize-winning *Interior Life* and, more recently, Hermione Lee's superlative study, *Quentin Bell's two-volume *Virginia Woolf: a biography** (1972) retains authority.

With his sister, Angelica Garnett, and his wife, he also worked successfully toward the preservation of Charleston and its decorations by Duncan Grant and Vanessa Bell, through the setting up of the Charleston Trust. Though this added greatly to the many demands on him, he still found time to hold regular exhibitions,

Frances Spalding

Quentin Claudian Stephen Bell, painter, sculptor, potter, historian and writer; born London 19 August 1910; Lecturer in Art Education, King's College, Newcastle 1932-56, Senior Lecturer 1956-62; Professor of Fine Art, Leeds University 1962-67; Slade Professor of Fine Art, Oxford University 1964-65; Fergus Professor of Fine Art, Hull University 1965-66; Professor of the History and Theory of Art, Sussex University 1967-75 (Emeritus); married 1952 Anne Olivier Popham (one son, two daughters); died Fife, Sussex 16 December 1996.

Norman Hackforth



'And the next object is . . .' Hackforth on Twenty Questions in 1948

every late-night instalment of *Appointment With Fear* (1943). Finally, with a nod towards one unofficial Golden Voice, the fruity tones of Syd Walker, the wandering junk man of *Band Wagon* (1959 - catchphrase "What would you do, chum?"), we had the Mystery Voice.

For a while the Mystery Voice was just that, a mystery. But with the passing of time and the rapidly increasing success of *Twenty Questions*, he was duly revealed as Norman Hackforth. Hackforth was the slender, small, and short-tressed pianist who accompanied Noel Coward on his many trooping circuits throughout the wilder theatres of war. Together they put on shows from South Africa to Burma by way of Ceylon.

After the war their association continued, on and off. In 1947 Hackforth wrote and staged his own revue, *Between Ourselves*. Coward went on opening night, but confided to his diary, "Awful, with a couple of good ideas bungled and a cast of repellent unattractiveness."

Norman Hackforth was born in India in 1908. By the late 1920s he could be seen playing and singing in the John Logie Baird experimental television programmes on the original spinning disc system and in 1929 he was picked out of casting to do his turn in two early talkie shorts - *Musical Movements* and *A Song or Two*. He

also acted in *Eight Cylinder Love* (1934), a Quota Quickie in which Pat Albee played a kidnapped racing driver.

The format of *Twenty Questions*, based on the family parlour game Animal, Vegetable or Mineral, was bought from its American adapters by a popular pre-war dance band leader, and soon the post-broadcast announcement with Maurice Winnick" became a catchphrase in itself.

Twenty Questions not only gave the husky Hackforth a new lease on life, but did the same

for several other long-time radio names. The chairman was Stewart MacPherson, a pre-war ice hockey commentator, keeping control of the impressionist Jack Train, at a loose end through the sudden ending of *It's That Man*, Richard Dimbleby, the war correspondent (not yet a television personality), and Anona Winn, once the leader of her own dance band, the Winners. Later Gilbert Harding, the grumpy old grumbler of radio, took over when MacPherson returned in Canada, and the comedian Kenneth

Home followed Harding. The genial Home would become the subject of a biography by Hackforth, *Solo For Horne* (1976).

While the total run of *Twenty Questions* set up a record for panel games - it lasted from 1947 to 1976 - the full number of shows is unknown. The BBC refuses to acknowledge its run on Radio Luxembourg, where it was sponsored by Craven A cork-tips. Hackforth would not see the entire series through, but was suddenly plucked from his "secret room" and turned into a pianist himself in 1965. He did appear as himself in *The Twenty Questions Murder Mystery* (1948), later re-issued as *Murder on the Air*. In the cast, headed by Robert Beatty and Ronna Anderson, the full classic radio team appeared: Train, Dimbleby, MacPherson, Daphne Padel and Jeanne de Casalis.

In later days Hackforth filled the post of the first musical director of Anglia Television, and in his retirement wrote his own autobiography, published in 1976 and now extremely hard to find. He called it *And the Next Object Is*, his catchphrase from *Twenty Questions*.

Deals Gifford

As accompanist to Noel Coward, writes Philip Hoare, Norman Hackforth joined a small band of musicians who contributed rather more to the Master's work than keeping up

with a pell-mell rendition of "Mad Dogs and Englishmen".

Hackforth's relationship with Coward began in 1941, when he succeeded Elsie April and Robb Stewart as his amanuensis and arranger; Hackforth helped Coward write such wartime classics as "London Pride" and "Won't You Please Oblige Us With a Brew Gun".

In 1943, when Coward was touring the Middle East war zone, he met up with Hackforth and engaged him as his pianist on a tour of South Africa. It was a memorable trip for both parties. Hackforth remembered the nerve-wracked first night of the tour in Cape Town, when Coward engaged the Cape Town Municipal Orchestra to open with a selection from Wagner and Rossini. The effect was calculated to "bore the be-jesus out of the audience", said Hackforth; after that "they'll be only too delighted to see us".

Coward and Hackforth went on to play throughout southern Africa from hospital canteens in what is now Soweto, to the Pretoria Country Club. Mountbatten having asked Coward to extend his tour to the Far East, Coward and Hackforth arrived in India in the monsoon. Acquiring an upright piano ("from first to last a magnificent temperamental little monster"), they spent 10 hellish days in the jungle, made worse by not entirely appreciative au-

"Do you think I'd be any good at a cabaret?" I said. "Of course you would. I've been trying to get you to do it for years! Why don't you get yourself a good agent and see what happens?" He said "I don't want an agent - you can be my agent." So I was. And I got him his first booking - it wasn't very difficult, I may say, but I actually negotiated it.

In 1954, Hackforth joined Coward in Jamaica, "slaving away every day" on the score for the abortive musical *After the Bell*. Coward saw it in Bristol the following year. "The orchestra was appalling, the orchestrations beneath contempt, and poor Norman conducted like a stick of sweet asparagus . . . The whole score will have to be re-orchestrated from overture to finale and Norman will have to be fired," "typical Noel Coward caggeration," countered Hackforth.

The working relationship with Coward ended that year, when Hackforth was unable to acquire an American permit for Coward's planned cabaret conquest of Las Vegas. Muriel D'Urlich found a new accompanist and arranger for Coward: Peter Matz, who became another in the long line of unsung heroes who underscored the career of a musically illiterate, but supremely gifted genius.

Norman Hackforth, actor, pianist, broadcaster; born Gaya, India 20 December 1908; married Pamela (de Hall, died 1995); died Terden, Kent 14 December 1996.

Births, Marriages & Deaths

DEATHS

BELL: Quentin, died at home on 16 November 1996, aged 86. He was the son of Clive and Vanessa Bell, and the brother of Julian, Vanessa, Graham, Stephen and Jonathan, brothers of Lady Diana, Princess of Wales. He was a member of the Royal Society of British Sculptors. Buried in St. John's Cemetery, Ealing, London.

ROYAL ENGAGEMENTS

Princess Margaret, Princess of York, the 17-year-old daughter of the Queen, has announced her engagement to Mr. Hugh FitzRoy, 12th Duke of Grafton. The Royal Engagement will take place on 20 March 1997 at St. George's Chapel, Windsor Castle.

Chancery of the Guard

Mr. Justice Sir Michael Rake, Master of the Chancery of the Guard, has died at his home in London. He was 81.

BIRTHDAYS

Field Marshal Lord Bramall, Lord Lieutenant of Greater London, 73; Miss Frances Crook, actress, 44; Mrs. Ruth Gruber, actress, 1916; Deaths: Antonio Stradivari, violin maker, 1737; Dorothy Leigh Sayers, detective story writer, 1893; Sam Wanamaker, actor, director and producer, 1903. On this day: under the 13th Amendment, slavery was abolished in the United States, 1865; the First World War began, 1914; it was first shown for the first time, 1942; after discussion in the House of Lords, the death penalty for murder was finally abolished in Britain, 1969. Today is the Feast Day of St Flannan, St Germanus, St Rufus and Zosimus, St Samian and St Winebald.

Lectures

National Gallery: Mari Griffith, "Peter Blake (iii: modern Madonna)", 1pm.

Tate Gallery: Justine Hopkins, "Visions of the Real World (ii: Camden Town painters)", 1pm.

Luncheons

HM Government: The Hon. Nicholas Swinney MP, Minister of State for the Armed Forces, was the host at a luncheon held yesterday at Lancaster House, St James's, London SW1, in honour of Dr Andrzej Karolak, First Deputy Minister for National Defence of the Republic of Poland.

Anniversaries

Births: Charles Wesley, hymn-writer, 1707; Joseph Grimaldi, clown, 1770; Saki (Hector Hugh Munro), short-

Officer had reasonable grounds for arrest of suspect

LAW REPORT

18 December 1996

for damages for unlawful arrest and false imprisonment.

The mere fact that a police constable had been instructed by a superior officer to arrest a person was not capable of amounting to "reasonable grounds for suspecting" that person of being involved in terrorism under the Prevention of Terrorism (Temporary Provisions) Act 1984. The constable must be given some basis for such an instruction, such as a report of an informer, from which he could reasonably form a genuine suspicion in his own mind.

The House of Lords dismissed an appeal by the plaintiff, Gerard O'Hara, against the decision of the Court of Appeal on 6 May 1994, affirming the decision of Mr Justice McCollum on 14 September 1990, dismissing the plaintiff's claim against the Chief Constable, the arresting officer, DC Stewart, in aid of evidence that he had attended a briefing the plaintiff's action against the Chief Constable, the arresting officer, DC Stewart, in aid of evidence that he had attended a briefing

the plaintiff was arrested on 28 December 1985 after a search had been conducted at his house at 72 Duncreggan Road, Londonderry. He was detained for questioning at Castlereagh Police Office before subsequently being released without charge.

At the trial of the plaintiff's action against the Chief Constable, the arresting officer, DC Stewart, said in evidence that he had attended a briefing

at Strand Road Police Station at 5.30 am on the morning of 28 December 1985. The purpose of the briefing was to mount an operation to search houses to look for weapons or other evidence and to arrest a number of people in connection with a recent act of terrorism. The briefing was conducted by an inspector and was attended by a number of other officers.

The court held that the information given at the briefing was admissible and was sufficient to constitute the state of mind required of an arresting officer under section 12(1)(b).

The plaintiff QC, Barry McDonald BL (B.M. Birnberg & Co) for the plaintiff; Patrick Coghlin QC and Peter Gray BL (Treasury Solicitor) for the defendant.

Lord Hope said the test which section 12(1) laid down was a simple but practical one. It related entirely to what was in

the mind of the arresting officer when the power was exercised.

The question was whether the arresting officer himself thought at the time that his suspicion was better

they were reasonable, but whether a reasonable man would be of that opinion, having regard to the information which was in the mind of the arresting officer. It was the arresting officer's own opinion of the information which he had which mattered, not what was observed by or known to anyone else.

The information acted on by the arresting officer need not be based on his own observations, as he was entitled to form a suspicion based on what he had been told. His reasonable suspicion might be based on information which had been given to him anonymously or it might be based on information, perhaps in the course of an emergency, which turned out later to be wrong. As it was the information which was in his mind alone that was relevant, it was not necessary to prove that the information or facts on which his suspicion was based were true.

Paul McGrath, Barrister

Ruby Murray

Ruby Murray's husky girlish voice, its plaintive tunefulness enhanced by an involuntary catch in the throat, took the pop world by storm in the mid-Fifties and made the young Irish singer one of the most successful stars in the history of British popular music.

Her husky, sky-give her that touch of amateurism which the British public loves, while the intimate huskiness of her delivery added sex appeal. She set a pop-chart record by having five hits in the Top Twenty at one time (a feat equalled only by Elvis Presley and Madonna), while her name has entered British folklore as a rhyming slang for "curvy". Her private life, though not happy and blighted by the chronic alcoholism that caused her death.

Born in 1935 in Belfast to a Scottish father and an Irish mother, Murray had an operation for swollen glands when she was six weeks old which left her with an unusually husky voice. A childhood visit to see the minstrel performer G.H. Elliott at the music-hall inspired her to join a children's choir, and soon she was performing solo. When she was 12 she made her professional debut on Irish television and two years later, with her mother as chaperone, she was touring in variety.

Over the next five years she appeared in revues throughout Ireland and Scotland. When her touring show *Yankee Doodle Blamey* played at the Metropolitan Music Hall in London in 1954, the television producer Richard Afton, who had been responsible for her Irish television appearance as a child, spotted her again and signed her to succeed Joan Regan as resident singer in his television series *Quite Contrary*.

Murray's first appearance on the show prompted the record producer Ray Martin to give her a contract with Columbia Records. Her second release, "Heartbeat", went to No 2 in the charts, and was followed by the song which was to become her signature tune, "Soft

EU asylum should not just be discarded

No citizen of any country in the European Union should ever need to seek asylum in another EU state, so which liberal, pro-European could disagree that the time has come to abolish the right to do so? Well, we may be liberal and pro-European, but in our view this proposal is premature and potentially dangerous.

The abolition of asylum claims within the EU is, as we report today, one of the hitherto-unnoticed suggestions in the draft treaty tabled at last weekend's Dublin summit. The document proposes that "no citizen of a member state of the Union may apply for asylum in another member state." As no one can remember the last time any EU national was granted asylum in another EU country, this may seem like a bit of harmless tidying up, of limited interest in the day-to-day. Nowhere in the EU as presently constituted is there any country where violence for political ends can be justified, and so it follows that there cannot be any "freedom fighters" seeking sanctuary. Nor can anyone in the EU suffer from, in the words of the 1951 Geneva Convention, "a well-founded fear of persecution" by their government on grounds of race, religion or nationality. So the argument goes.

And, as the EU is already an area in which there is free movement of

people, made up of established democratic states which respect human rights, the Irish draft treaty argues that this would be a simplification to help create an "area of freedom, security and justice".

Well, hold on a minute. We should be treating the negotiations about Europe's future with the same level of seriousness and ambition as the drafters of the American Constitution. That is not our view: it is the view declared by John Bruton, the Irish Prime Minister, at the end of the summit last weekend. Let us put aside the unworthy thought that Mr Bruton, John Major and Helmut Kohl do not stand comparison with James Madison, George Washington and Benjamin Franklin. Let us instead welcome the idea of a European Constitution and look at what it means to be serious and ambitious about drafting it.

It is no good foisting a draft treaty entitled "Adapting the EU for the Benefit of its Peoples" on the peoples of Europe without a real attempt to consult and inform those same peoples. Specifically, the right to "internal asylum" may be largely theoretical, but it raises hugely significant issues, and it has not been debated in any meaningful way. There are further grounds for scepticism, in that far from being part of a disinterested attempt to simplify the laws of the EU "for the

benefit of its peoples", this proposal seems to arise from a desire to appease the Spanish government. The Spaniards were outraged at the start of this year when the Belgian government refused to extradite two Basque separatists on terrorism charges. The Belgian authorities may have been swayed by reports of the appalling state of some Spanish jails, which could conceivably amount to "inhuman or degrading treatment or punishment" – a phrase from the European Convention on Human Rights which is often used as a definition of "persecution".

Now, all EU member states are signatories to the European Convention and so there should be no question of human rights abuse within the frontiers of the Union. But there is. The United Kingdom has in the past been found guilty of subjecting suspected terrorists in Northern Ireland to degrading treatment. And the procedures for enforcing rights under the Convention are cumbersome. More fundamentally, those rights are not part of EU law. They have been incorporated into the laws of some member states, but not others (such as Britain's).

It would be wrong in principle, therefore, for the EU to legislate to remove the right to internal asylum until it has also legislated to protect the human rights of its citizens. But this does indeed take us into the territory of a Constitution for Europe – which would be a good thing, but into which we should not stray by accident or stealth. The abolition of asylum within the EU would also be more credible if all EU countries had evidently fair procedures, and if the trend in our attitudes to refugees from elsewhere in the world were towards strengthening rather than weakening protection for the persecuted. Sadly, the trend is in the opposite direction. Michael Howard's posturing at the United Nations this week, to refuse asylum to those suspected of the "planning, incitement or funding of terrorism", cannot override the European Convention on Human Rights, which protects people from inhuman or degrading treatment "irrespective of the person in question". But it casts a dark shadow over the Home Secretary's intentions.

Until we do have a European Constitution, it is risky to argue that the Union is fast becoming such a perfect group of countries that the citizens of one would never need protection in another. The history of our Continent this century is not reassuring: we have seen paroxysms of violence and per-

secution in unlikely places. Politics can change, and there are still large fascist parties across Europe.

It might be argued that, because there are no applications for asylum within the EU (apart, apparently, from Jehovah's Witnesses who occasionally claim unsuccessfully that they are persecuted), there is no need for a right to asylum. A better argument would be that no protection should be removed until it can be shown that it will never be needed.

A time to give... 2p in the £1

Tis the season to be scamming. Only 2p in every pound that customers spend on Books Etc's "homeless charities" cards actually goes to a good cause – in contrast to the 20p that Debenhams passes on. But there's no point in getting too indignant; these companies are cashing in on our laziness, not our festive generosity. If we really care about donating to charity, we could check the small print on the side of the cards and avoid those which try to conceal how much cash they are really passing on. The solution is simple. Don't get mad complaining about exploitative retailers and publishers; get even, and wield a little consumer power.



LETTERS TO THE EDITOR

A millennium park for the stifled south

Sir: A major new National Park in the pastoral south-eastern corner of the country would be a wonderful millennium project (leading article, 13 December). This could buy up set-aside farming land (ideally in hill and remote countryside) and landscape it, removing modern field patterns, fences and walls to create a large area of old-style heathland or deer forest in which walkers and horse-riders could roam free. As a climber I would like to see such a national park contain artificial cliffs, boulders and edges (carefully designed to blend into the environment), and water sports could also be catered for with large lakes drained at times of spate by wild water rivers for rafting and canoeing.

The "Capability" Browns of the 21st century could make their reputations by providing pleasing environments, not for a privileged aristocracy but for mass popular use. The car could be restricted to the periphery and the odd through route. Adjacent railway stops could allow easy access from the cities.

I recall with despair the very inadequate walking and outdoor recreational possibilities within striking distance of north London when I lived there in the Seventies. Public footpaths were jealously hemmed in with barbed wire fences and areas of open hills, fields or heathland were in short supply. Contrasting this with the magnificent moors, forests, rivers, crags and lakes that I can now enjoy in close proximity to my home near Macclesfield, I am amazed that people in the south have put up with outdoor recreational poverty for so long. Every weekend, thousands of them pack the motorways on the long trek north or west to the distant national parks.

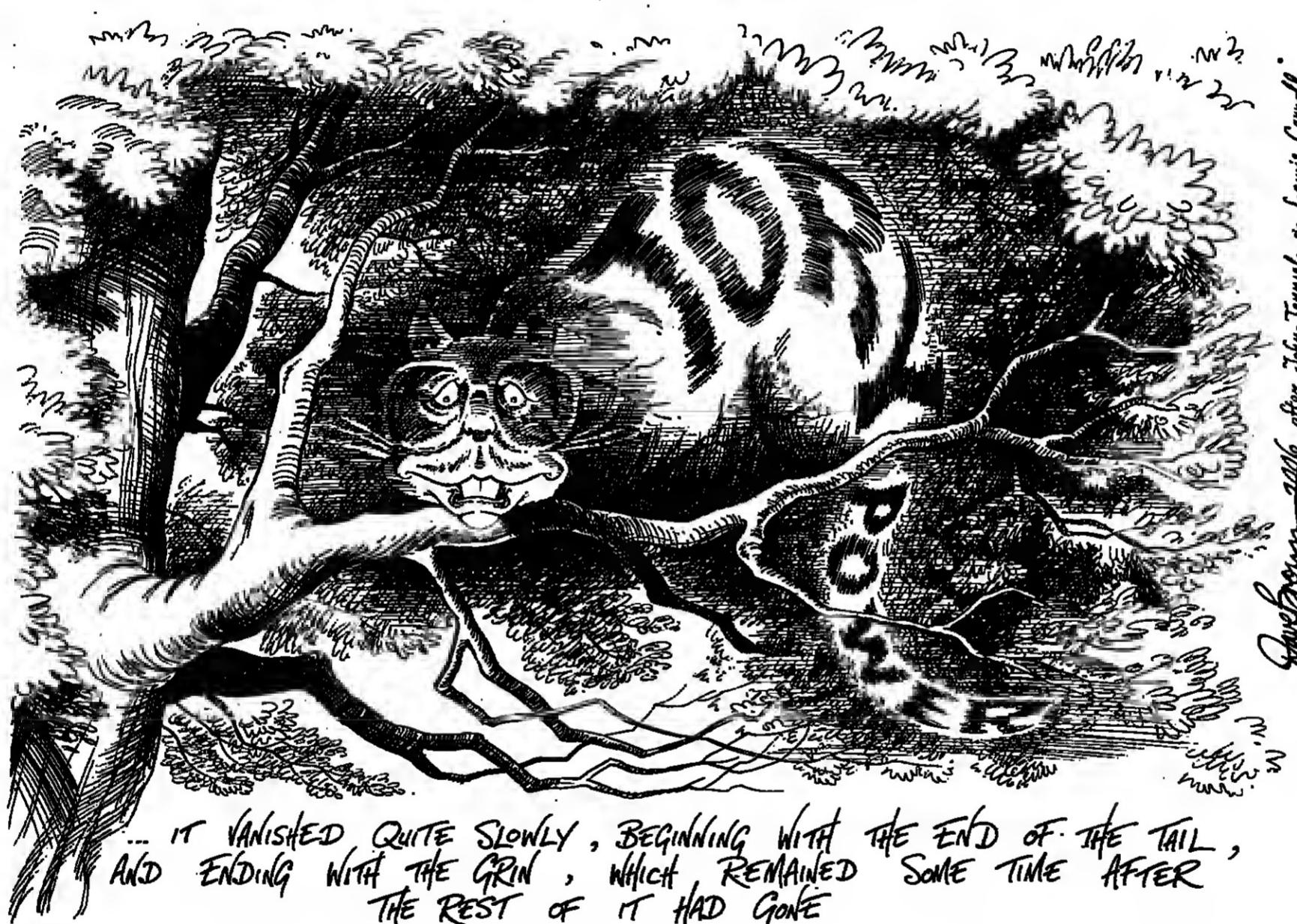
A large area (or areas) of public recreation space linking up the fields, hills, copses and rivers in some of the remoter areas of, say, Oxfordshire, Bedfordshire, Buckinghamshire, Hertfordshire and Northamptonshire would be a priceless national asset for the future and would also create jobs and boost tourist-related activities in an area now given up mainly to monotonous modern agriculture.

KEN WILSON
Langley, Cheshire

Sir: Your leading article castigating the plans for monumental celebration of the millennium is apt and timely. The ideal project would be one whose value would grow with the years, not decay once the party's over.

Why not a set of projects which move us forward environmentally? In addition to your excellent deciduous forests, what about millennial allotments, millennial cycle paths (but to meet real everyday transport needs, not weekend leisure), even millennial house insulation?

What about technology? A hundred and fifty years ago, Victorian society created the great museums and institutions of learning to ensure that the country would benefit from advances in knowledge and creativity. In recent years, many advancing nations have kick-started this process by creating national centres; the excellent Jawaharlal Nehru Centre for Advanced Scientific Research in Bangalore is one of many. A few years ago, the UK toyed with the idea of "Faraday Centres"; the



Pain is the clue to animal rights

Sir: Janet George (letter, 16 December) describes animal rights as a "spurious" philosophy. I beg to differ. We may believe that the quality of the average adult human life is such that it is more important than the life of a non-human animal. It is less self-evident that a new-born infant or even an adult with a profound mental disability has a higher quality of life than many animals.

However we would still, quite rightly, be horrified if someone suggested that we should deliberately inflict pain on these people for medical research or rear them in cramped cages and then use them as food. The reason why this would be unethical cannot simply be that they are a member of our own species. That would be arbitrary and no more logical than a racism or sexism would be in giving special treatment to their own race or gender.

The real reason that we cannot justify treating people in this way is because they would suffer pain and deprivation, through no fault of their own, and not for their own benefit. These arguments apply equally to the animals that we use for vivisection and factory farming. These practices are therefore immoral for the same reasons as if they were done to people. They should be stopped immediately.

RICHARD MOUNTFORD
Birmingham

Keep Spice Girls away from Dad

Sir: What do *The Independent* and our father have in common? The Spice Girls! ("Spice Girls vote Thatcher the new leader of their band", 13 December; letter, 14 December) What is happening to what has always been regarded in our family as a serious paper? Now, every morning, our father, who is a source of embarrassment at the best of times, quotes long, mostly boring facts about the Spice Girls, and how it must be right because it is in *The Independent*.

As three teenagers who are not in the slightest bit interested in this group, can we ask that you please stop putting their photo on the front cover and providing our father with more irrelevant facts? Let's have some real news. Come back to earth, *Independent* – there are better ways to attract young readers!

CLARE (17), HELEN (15) and ADRIAN (12) *LANSDOWNe*
Oadby, Leicestershire

Orwellian vision

Sir: With reference to the article on pigs acting as donors for transplant surgery (report, 17 December), I refer you to the end of George Orwell's *Animal Farm*: "The creatures outside looked from pig to man, and from man to pig, and from pig to man again, but already it was impossible to say which was which."

ALAN RAYNER
Dorchester, Dorset

Guinness for gays

Sir: Dr Alan Bullion asks why gay bars don't sell good beer (letter, 16 December). Should he ever come north, I would recommend Squires, in Glasgow: the Guinness is the best in the West of Scotland.

DESMOND COUGHLAN
Cumbria/Stratlyde

millennium is the time for it to be dusted off.

Lastly, the future of the UK depends on our children and their children. One simple idea would be a national programme to teach parenting skills, both in school and in the community.

Professor CHRIS ADAMS
Birkhead, Merseyside

Sir: I too am attracted by the idea of a Millennium Forest. But before we plant it, would it not be a good idea to demolish another forest: the pylons that disfigure so much of our countryside? Spending £700m on burying power cables would provide more people with a significant and enduring monument than any current plans for domes and wheels.

MORRY DAIVISON
Templecombe, Somerset

Sir: Quite right. Dump the empty Greenwich "celebration". My

recipe for success? First, sack the Millennium Commission and let no one over 30 (apart from myself, at 49) near any future plans. Second,

make the Glastonbury Festival in the year 2000 the centrepiece of a nationwide celebration of music of all kinds in all places. Third, hire a creative madman (Jean-Paul Gaultier comes to mind) to produce an extravagant parade through the streets of London as a focus for a street party.

BRIAN G MITCHELL
Cambridge

Sir: You are right to attack the tawdry proposals for a millennium exhibition at Greenwich. An alternative would be to create an open space around St Paul's Cathedral and down to the Thames by clearing away the relatively

Green machines make sense

Sir: So we "say one thing and do another" when choosing green washing machines, televisions and cars (leading article, 11 December). This is hardly surprising, for usually there is little alternative.

Nobody wants to buy a product that breaks down quickly, and then needs to be thrown out because replacement parts aren't available. Yet how often do we have the option of choosing a product that is built to last, and designed to be repaired, reused and recycled?

We need to make dramatic cuts in our use of raw materials. By making things last as long, we would be using half as much – that would be a start.

To do this, we need legislative changes to ensure that products are designed to make sense for the environment and sense for consumers.

Dr ANNA THOMAS
*Waste Campaigner
Friends of the Earth
London N1*

Credibility gulf

Sir: At a time when the armed forces are having an increasingly difficult time with recruitment and needing to rely more and more heavily on the Territorial Army, the Ministry of Defence's management of "Gulf war syndrome" is difficult to reconcile.

Mr Soames's statement in the Commons (report, 11 December) was welcome for its honesty.

However, the whole affair is in stark contrast with the American approach to the treatment of their veterans who developed problems as a result of service in the Gulf.

Not only did they immediately undertake to fund research into the disorders, but they have offered no fault compensation for those affected. In comparison, the omus has been on our veterans to prove their illnesses are genuine. For five years they have needed to fight a war of attrition to force the MoD into accepting the reality of their plight.

How are we to persuade other brave men and women to risk their lives in the fight for Queen and country when those disabled by active service are seen having to battle for the right to compensation when they return home?

G SARL FRCS
*Captain RAMC (V)
Bristol*

Violent reactions

Sir: Dr Peter Davies (letter, 14 December) reports on work which suggests that randomly selected adults are not influenced by fictional violence in the same way as when they view film of real violence. Unfortunately, his own formulation reveals the limits of its usefulness: "Normal adults can differentiate between fantasy and reality." Perhaps he would consider arranging a study to determine the effect of fictional violence on adults who are not normal.

Dr CONNOR FERRIS
Exeter

When chickens lived on the roof

Sir: The house with grass on the roof that Peter Cuming plans will not be the first in Kentish Town ("Rabbits on the roof in Britain's greenest house", 14 December).

Nearly 30 years ago the late architect Philip Pank built such a house for his family in Torrington Cottages, where they still live. Chickens occupied a corner of the roof garden at one time, delighting some neighbours, though not all, with their daily cries.

As to rabbits, we had two for years, much loved by dinner guests for their tameness in spite of their tendency to snatch bread. They also appreciated cigarette ends, dregs of sherry, sugar and, unfortunately, cut flowers.

I would not, however, recommend Peter Cuming to get two males, even limp-pawed ones, as it is the males who tend to dig the largest holes in the lawn. What about two comfortable spinners in fluffy coats?

GILLIAN TINDALL
London NW5

Barbie effect

Sir: It must be Christmas because Suzanne Moore is writing the annual article about Barbie dolls (13 December).

For several years my daughter enacted gender roles with Barbie and Ken. Now aged 18, my daughter is reading women's studies at Lancaster and her preferred role model is Jo Brand.

ROSE MEADE
Ashford, Kent

Why the green shopper is not being properly served

Everyone wants to be good. Now there are new and better ways to be good without really trying. If Christmas nausea is setting in and the joy of shopping is wearing thin it is a good time to consider turning shopping into a virtue: you are what you shop. Now we are back in boom times, the late Eighties enthusiasm for eco-ethical-natural-environmental and furry-animal-friendly shopping is on its way back too. Kwik Save values rule in the bad times, ethics are strictly for booms.

So, acquiring information from the *Ethical Consumer* magazine (a workers' co-operative), let us enter the worrying world of the virtuous shopper. Published by the Ethical Consumer Research Association, it carries out audits and delves deep into the background of companies, rooting out the unscrupulous on every front. And there are so many battlefronts: the environment, conditions of workers, links with vile regimes, gay rights, kindness to animals. It is a kind of *Which?* magazine for the conscience instead of the purse, with reports available on an A-Z of the most ethical choices, from adhesives and airlines to wool and yoghurt.

There are special reports on why not to buy Ray-Ban sunglasses, Pepsi, Nike trainers or Gillette products. Tesco is criticised for "insensitive expansion plans" as is United Biscuits for its (discontinued) contributions to the Conservative Party.

Once you combine all that with health considerations, shopping becomes very tricky indeed. The trouble with ethical boycotts and health scares is that they tend to stay with you for a lifetime. I still instinctively hesitate over Cape oranges or Spanish lemons. (Actually post-Franco Spain is back on the boycott list, "because of cruelty involved in bullfights and village fests".) Is it OK to eat California table grapes or is the Chavez workers' boycott still on? And what about aluminium saucepans causing Alzheimer's? That one-off scare caused a bigger throw-out of old pans than the war effort and it lingers on in the memory (suggesting you haven't yet developed the dread disease) but then you never hear any more about it. (The Alzheimer's Disease Society says nothing has been proven and they do not recommend throwing out pans.)

Which supermarket should you choose? This is quite complicated. If it means going by car, don't. If you must, then Sainsbury's and the Co-op rank best on environmental policy and factory farming. (The *Ethical Consumer* points out, though, that Sainsbury's is currently the subject of a boycott by Outrage, the gay rights group, because the Sainsbury family trust funds a "Christian Gay-healing" organisation.) A new Sainsbury's has just opened in Clapham High Street, walking distance from my home (good news, though bags v heavy). On the other hand, it was opened by John Major - bad news, except some might rejoice that he is reduced to gigs that are usually the prerogative of Miss UK, 1985.

The *Ethical Consumer* lists 36 current boycotts, ranging from airlines that transport monkeys for research and companies that sponsor angling contests to all Burmese/Islamic/Moroccan/Turkish holidays. Eso is one "for use of a circus tiger in its adverts". Hazelby Down bottled water for being owned by Southern Water, responsible for South



Polly Toynbee
If green products have been discredited for bogus claims, what exactly can the average good shopper do without becoming a ridiculous zealot?

But the basic truth that no buying is green has seeped through to the consumer. Plastic-wrapped combustion-engine transported supermarket-sold goods are all expensive in energy. Companies that try to be good often run into public trouble, as with Body Shop and some of its Third World suppliers. Ben and Jerry's Rainforest Crunch ice cream, intended to benefit co-operatives of Brazilian Brazil nut workers, had to have its wording changed once it was discovered the very success of the operation had caused the co-operatives to be pushed out by the commercial suppliers.

It is all very difficult. Companies that make green or ethical claims have often been exceedingly economical with the truth. On the other hand, companies that genuinely try, do better deserve to be rewarded. There is something absurd about the *Ethical Consumer's* anti-shopping list because it makes no value judgements about what really matters. It lacks a sense of proportion and priority and risks being laughed at - or making people despair at the whole idea.

For some boycotts do work: in the end, business disinvestment brought down apartheid. It is encouraging that the Co-op Bank's ethical investment policy is now paying off, with double the number of new accounts opening in a static market. With 24-hour personal telephone banking and as many cash machines as the others, changing over to the Co-op is virtue easily acquired (though people are more likely to get divorced than change banks in their lifetime). Most of us are unlikely to do anything very strenuous to alter our consumption habits but opinion polls show that increasingly consumers are willing to buy the morally better rather than the worse, if the better is easily available.

Ethical Consumer magazine, Unit 21, 41 Old Birley St, Manchester M15 5RF



Opposition plans to entrench human rights in British law are not as radical as they seem. Ministers, not judges, will still have the last word

Many people will be suspicious when Jack Straw, the Shadow Home Secretary, today announces details of a human rights law for Britain. These days, home secretaries and wannabees such as Mr Straw prefer to strike Rambo poses as the hard men of government. It's difficult to imagine them losing much sleep over human rights.

Mr Straw has, after all, backed provisions in Michael Howard's Police Bill that would allow extensive electronic surveillance of individuals without a warrant. It is Jack Straw who seeks to wage war against that dreadful threat to the future of the western society - the squeegee person, who wants to wash your windscreen while you wait at the traffic lights. And if Mr Straw gets into power, troublesome youngsters should expect to find themselves subject to curfews.

In short, Mr Straw sounds like a far more illiberal figure than, for example, Roy Jenkins, Labour's finest and most progressive Home Secretary. Yet Mr Straw apparently plans to do for liberalism what even Jenkins failed to achieve - incorporate the European Convention on Human Rights into British law. At a stroke, our own courts would at last be entitled to test laws passed by Parliament against, for example, the rights to life, liberty, security and freedom of expression. We have, since 1952, been subject to these provisions. But the difference, under Labour's plans, is that the aggrieved would no longer have to wait five or six years until the European Court in Strasbourg judged their complaint.

They could seek a domestic remedy. If Mr Straw enacts his proposals, the British judiciary could subject future governments to even more embarrassment than Michael Howard has been experiencing. The first British laws up for challenge could include the proposed new rules on police surveillance (which may infringe the right to privacy). Diane Blood's inability to obtain her dead husband's sperm for IVF treatment (right to found a family), refusal to provide the same state subsidies for Muslim schools as offered to Anglicans and Catholics (freedom of religion) and tight restrictions on legal aid (right to a fair trial).

Today's discussion paper suggests that a joint committee of the Commons and the Lords should be established to ensure that future legislation is consistent with the convention. And Labour says it would consider the establishment of a Human Rights Commission, advocated by the left-leaning Institute for Public Policy Research, to support legal challenges in much the same way as do the Commission for Racial Equality and the Equal Opportunities Commission.

But before civil libertarians drive round all night sounding their horns at an historic victory, they should read the small print. They will discover that Mr Straw's proposals turn out to be less liberal than they seem, because Labour's would-be Home Secretary has remained true to the time-honoured principle that Britain is ruled by an elected dictatorship, subordinate to none but the electorate once every five

years, and certainly not to judges or a constitutional convention.

It is the government of the day, not the judiciary, that would be given the ultimate responsibility by Mr Straw to enforce the convention's "rights". Nowhere does today's discussion document say that the judges could strike down a law judged in breach of the convention. That provision, which existed in earlier drafts of the document, has been dropped by Mr Straw.

Instead, where the judges discover a breach of the convention, "consideration will need to be given by the government of the day and Parliament as to what action should be taken". What this seems to mean is that judges are entitled only to knock on a minister's door and say "Hey, we think you've made a mistake", and let Parliament (controlled by the government of the day) take over from there. This may be a big improvement on the status quo, but hardly a revolution in the rights of the individual vis-a-vis the state. Especially since, under the proposals, Parliament would also retain the right to pass laws which unambiguously broke the convention, provided that intention was clearly stated at the time of legislating.

The result of all this is that Mr Straw's plans leave British citizens still prey to maverick government, to ministers who, if enjoying a large enough majority in Parliament, could say to hell with the judges and the convention and do so with impunity, at least in the short run.

Compared with the "rights" other countries enjoy, entrenched in their

constitutions, enforceable by the courts and almost impossible to change or ignore, Mr Straw's proposals add little to the individual's personal armoury. They look radical only in comparison with Tony Blair's latest watered-down proposal.

Is there any hope that Jack Straw will rise to the challenge of genuinely and irreversibly limiting state power? The signs are discouraging. There is, as today's document demonstrates, a struggle going on between Labour's liberal and illiberal tendencies. But if the liberal side fails to triumph in Opposition, it certainly will lose out when the party takes over our elected dictatorship.

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Martin Amis: better rich than read

by Boyd Tonkin

Being rich is about acting too, isn't it? A style, a pose, an interpretation that you force upon the world? Whether or not you've made the stuff yourself, you have to set about pretending that you merit it, that money chose right in choosing you, and that you'll do right by money in your turn." Martin Amis, *Money*.

In 1984, the 35-year-old Martin Amis subtitled *Money* - still, for many readers, his finest novel - "a suicide note". There must have been times over the past decade when the relative riches that his books have brought (not bad doth for a scribbler, but peanuts for one of his beloved temis stars) have seemed like deadly poison. In media eyes, a screen of pound notes - and, since his liaison with the American author and heiress Isabel Fonseca, dollar bills - now masks every literary step he takes. Yet, if Amis has become less a novelist than a figurehead for the new rules of engagement between art and commerce, he hasn't shown much desire to quit his post. Year after year, his progress bears out the winner of the *New Statesman's* competition for unlikely book titles: "My Struggle, by Martin Amis".

This week, he returned to Random House's literary imprint Jonathan Cape - his publisher for most of the past 25 years - for a four-book deal reputed to be worth around £1m. A crucial but overlooked side of the contract involves the revision of Amis's valuable backlist - titles such as *Money*, *London Fields* and *The Rachel Papers* - from Penguin to Vintage paperbacks. As well as fiction, the works for Cape may include Amis's own memoir of his *annus horribilis* of 1985 - when his marriage ended, his father Sir Kingsley died and his life turned into the raw material of a broadsheet soap opera.

Two years ago, he deserted

Random House for Rupert Murdoch's HarperCollins in a two-book, £475,000 deal negotiated by his agent Andrew Wylie - who must be thrilled that journalists call him "The Jackal" as lazily as they dubbed David Willett's "Two Brains". But *The Information* - the brooding and clogged novel that accounted for the bulk of HarperCollins' investment - did far from brilliantly in the shops. Tom Rosenthal, publisher at André Deutsch, reveals that "the view of the book trade, with access to the wholesale figures, is that it was easily acquired (though people are more likely to get divorced than change banks in their lifetime). Most of us are unlikely to do anything very strenuous to alter our consumption habits but opinion polls show that increasingly consumers are willing to buy the morally better rather than the worse, if the better is easily available.

Ethical Consumer magazine, Unit 21, 41 Old Birley St, Manchester M15 5RF



Literary riches: Martin Amis with his partner, the American heiress Isabel Fonseca

Literary fiction now has its own Cedric Brown fat cats - but are these authors worth their piles of cash?

rightful home", but the truth is that hot literary properties can now choose to be mobile as unregulated cash itself.

A hard core of transatlantic agents have hustled this premier division into being. Wylie and Ed Victor are the best known, but publishers react to the pair in sharply contrasting ways. Victor, although a steady negotiator, inspires trust and respect. Wylie, who believes publishers have traditionally

up Donna Tatt for her debut novel, *The Secret History*.

In every corner of the leisure market, from basketball to classical music, the power of the agent has widened the gap in rewards between the fat cats and the rest. And, in the shape of Amis and a handful of others, literary fiction now has its own Cedric Browns. To them that hath, shall be given.

Rosenthal comments that "Whenever this happens, the danger is that anything from two to half-a-dozen perfectly decent mid-list authors will get starved." He adds that such deals represent "a grotesquely macho performance for publishers. These people are never spending their own money, but the shareholders". What they're saying is that "my shlong is bigger than yours."

Accountancy aside, is Amis worth this rising mound of cash? As a stunningly original phrase-maker with a drip-feed

from the Spirit of the Age, he has few rivals. Dickensian grotesques with a knotted argot all their own stalk his pages, their ferocious humour rooted in a very English comedy of manners. If a hard core such as Nick Hornby - with his earnest, decent aspirations - embodies Dr Jekyll for thousands of young-to-middle-aged professionals, Amis does a good job of summoning their Mr Hyde.

Fiasco or not, *The Information's* obsessive dwelling on the mutual dynamics of success

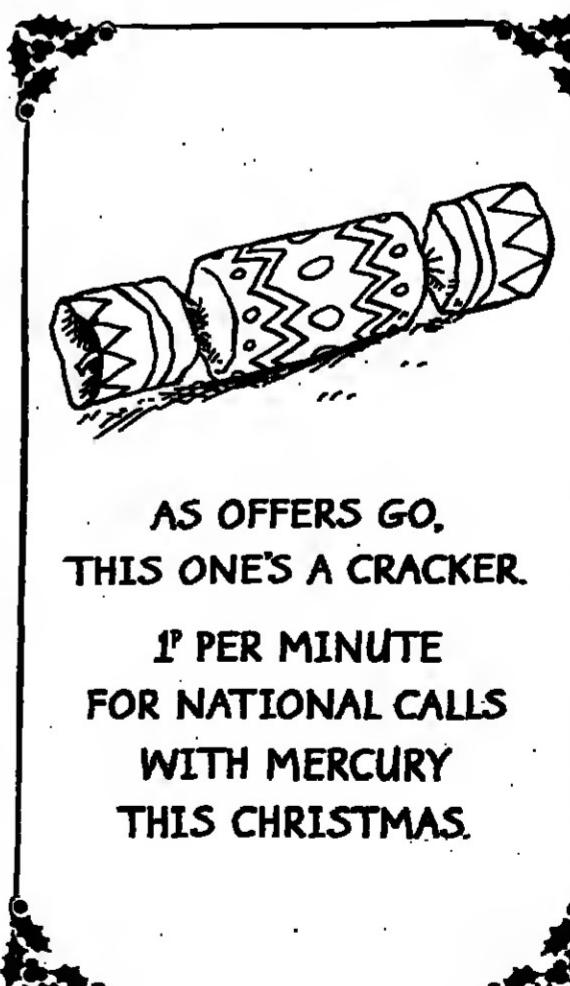
and failure hit some sore spots on its readers. One of the novel's running gags concerns a vast, ungainly book by Richard Tull, its floundering wash-out of a writer. His manuscript provokes migraines and fevers in anyone unlucky enough to clasp eyes on it. Oddly enough, *The Information* itself had just that effect. Its vision of life as a savage Darwinian zoo, where winning and losing alone matter, felt cramped and mean - but still struck some nerve-jangling chords.

Yet, in place of the strenuous wrangles found in Amis's favourites such as Saul Bellow, his own quest for the Big Picture amounts to a few vague, cosmological ideas about entropy and a pervasive, rather whimsical fear of death. As a moral superstructure, this looks about as fragile as the peeling deco of the socially polarised North Kensington streets where his books were set and written.

"Wonderful gargoyles; lousy architecture," wrote George Orwell about Dickens. A mid-career verdict on Amis might come to the same conclusion. No character could conjure up his age more vividly than Keith Talent, the horribly funny darts-playing thug from *London Fields*, with a TV sports commentary constantly playing in his head. Yet that book falls apart into an opaque and mis-handled approximation of a murder plot. It sounds encouraging that the new Cape deal's first fruit will be a compact mystery to be entitled *Night Train*. Hints at its content suggest something akin to *Other People*, the tightly-plotted 1982 thriller that remains Amis's most satisfying structure so far.

"Every writer," Amis once wrote, "hopes or boldly assumes that his life is in some sense exemplary." If he didn't exist, a culture avid to treat literature as a branch of showbiz would probably have to invent him. All the same, he shows no sign of wanting to withdraw from the scrum.

Henry James once wrote a spooky tale in which a famous author splits into two personas, the social lion and the toiling recluse. For the sake of his future work, the Amis who haunts the Centre Court (and the front pages) should break up with the gifted stylist whose books get all dressed up, and then have nowhere to go. But it may never happen in a climate that, as the price of fame, forbids authors the right to insert even the width of one of Keith Talent's grubby tenners between their *Life* and *Works*.



AS OFFERS GO,
THIS ONE'S A CRACKER.

1P PER MINUTE
FOR NATIONAL CALLS
WITH MERCURY
THIS CHRISTMAS.

Labour looks less liberal as power looms

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business & city

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MPs attack failure of Barings regulators

Peter Rodgers
Financial Editor

A committee of MPs yesterday attacked the auditors Coopers & Lybrand, the Securities and Futures Authority and the Bank of England for missing opportunities to detect the management deficiencies at Barings ahead of its £800m collapse last year.

The Treasury select committee reserved its most detailed and pungent criticisms for the

Bank of England's performance in overseeing Barings, and it warned that unless the Bank changed its "old culture" it may have to lose responsibility for banking supervision.

But it also said the SFA, the regulator responsible for securities and derivatives trading, visited the bank in January 1995, just a few weeks before the collapse at the end of February.

The committee said: "Although our inquiry has not revealed any shortcomings of the

SFA in respect of the detection of malpractice at Barings, we note with concern that a visit to Barings was conducted by the SFA in January 1995 and that the lack of internal controls and management weaknesses went undetected."

The MPs on the committee, including Tim Yeo and Quentin Davies, said that many of the criticisms levelled at the regulators could also be made of Coopers & Lybrand. They said that the firm failed over sever-

al years to pick up the serious lack of controls which helped Nick Leeson, the rogue trader at the centre of the scandal, to escape detection for so long.

The committee was "concerned that one of the key checks that of the auditors, upon which shareholders should be able to rely, failed over a number of years to reveal weak internal controls and resulting unauthorised behaviour".

The committee criticised the Bank of England for using

Coopers to carry out a Section 39 inquiry into Barings under the Banking Act, saying that such inquiries should be done by firms not tied up with the institution being investigated.

But the British Bankers Association rejected this recommendation as "expensive and of doubtful value".

The report follows a series of public hearings at which senior figures, including Peter Baring, the chairman, and Andrew Tuckey, his deputy, were given

the rough edge of the MPs' tongues. But the report said almost nothing about the personalities involved or about individual responsibility.

It did however criticise the Bank of England for only grudgingly helping the investigation by the Singapore authorities, and it urged improved international coordination and the removal of obstacles to sharing information.

The committee said: "The Bank needs to demonstrate

that it is able to separate its supervisory activities from its other functions. Otherwise it may be that in order to bring about the necessary cultural change banking supervision will have to be taken away from the Bank of England."

The MPs were "concerned that, as a former bank itself and as a cheerleader for the City, the Bank may be in a position of 'regulatory capture'."

The proximity of the Bank to the banking sector could act as

a double-edged sword. The report said: "While it is useful to the Bank to have intimate knowledge of the banking sector [although not intimate enough to have picked up on the rumours circulating before the collapse of Barings], there is a risk that the Bank could avoid introducing useful supervisory measures which would displease the banks or might be perceived to have competitive implications."

Comment, page 15

Bumper pay rises for Granada chiefs

Mathew Horsman
Media Editor

Gerry Robinson, the chairman of Granada Group, was paid £28,000 in the year to September, a rise of 21 per cent, while the chief executive, Charles Allen, received a 53 per cent increase to £531,000.

By comparison, outgoing chairman Alex Bernstein earned just £210,000 in his last full year in the position.

Mr Robinson, who has said, famously, that he prefers to work just four-and-a-half days a week, was paid the equivalent of £795,000 a year on the assumption of a half-day off a week.

The sharply higher figures were being seen in some quarters last night as an indication of a change in corporate style at the media, leisure and rentals conglomerate.

Analysts pointed out, for instance, that the company's head office had formerly been housed in modest offices in Golden Square. Following its successful takeover of Forte, the hotels and restaurants company for £3.9bn early this year, Granada moved into Stornoway House, a mansion in a row of expensive buildings just off London's Green Park.

Despite having criticised Forte for its opulent corporate style during the bitter contested bid, Granada management has since decided to keep the Forte corporate jet and has a staff of company drivers for senior executives.

This was seen as being in marked contrast to the lean and simple image projected by Granada during the takeover. Sir Rocco Forte, the patrician chief executive of Forte, was criticised for having been on a shooting holiday in Yorkshire as the bid was being unveiled last year in London.

Both Mr Allen and Mr Robinson were also awarded share options exercisable between 1999 and 2006 at a price of 859.5p. Mr Allen received 199,000 options, while Mr Robinson was awarded 220,000.

In addition, Mr Allen has 268,500 "in-the-money" options exercisable at 190p, which were worth £1.8m at yesterday's closing share price of 864p. Mr Robinson's valid options, exercisable at 184p, were worth nearly £2.8m.

A Granada spokesman said the sharply higher remuneration reflected new responsibilities for both men and the fact that Granada now owns Forte, in ad-

dition to its media and rentals operations. "You either believe that Britain's top business people should be paid the going rate or you do not," he said.

Henry Staunton, the finance director, saw his salary rise more modestly to £283,000 from £253,000. Mr Staunton was also awarded 37,000 new options in the year, also exercisable at 859.5p. His valid options were worth just over £800,000 at last night's closing price.

Granada has a policy of not paying bonuses, preferring a mixture of competitive salaries and share options. Senior executives receive benefits such as medical coverage, company cars and life assurance.

Company insiders stressed yesterday that the remuneration for senior executives was also linked to the extra burdens of overseeing the massive sell-off of Forte's hotel assets. Granada is selling the Exclusive Hotels, worth about £900m, in a series of long-drawn-out negotiations. Most of the sales will not be completed until next year.

Granada has also earmarked

for sale its Welcome Break motorway service assets. A sale is not expected before the new year, with Whitbread, the brewing giant, a likely contender.



Style shift (from left): Henry Staunton, Gerry Robinson and Charles Allen of Granada

Photograph: Peter Macdiarmid

MoD housing receipts keep PSBR on target

Diane Coyle
Economics Editor

The first figures for government borrowing since the Budget indicated that it was on course to meet its target this year. The upturn in the economy should help keep the public finances on an improving trend for the time being, economists said yesterday.

The public sector borrowing requirement (PSBR) was £2.6bn last month, much as the City expected. The Treasury said this was fully in line with the Budget forecast.

It was welcome news for the Government the day after the Organisation for Economic Cooperation and Development had picked out slow progress on cutting borrowing as its only criticism of the Government's policies in an otherwise glowing report.

There were almost no privatisation proceeds to flatten the headline PSBR figure in November. But the first receipts from the sale of Ministry of Defence housing provided a handy £90m. In one of the Budget's presentation whoppers, this sale of assets is being counted as negative departmental spending rather than privatisation receipts.

Last month's figure brought the PSBR so far this financial year to £1.3 billion, just over 4% of

better than at the same stage last financial year. The MoD housing sale therefore accounts for most of the year-on-year improvement.

Nevertheless, the City reaction was favourable. "The PSBR is on track this year," said Kevin Darlington at brokers Hoare Govett, although he added that the improvement was due entirely to the economy's cyclical pick-up and that targets for future years would not be met.

Others were more optimistic. "The underlying trends seem fairly healthy," said Claran Barr at Deutsche Morgan Grenfell. Tax receipts as a whole grew 7 per cent year on year, a little better than the Treasury's forecast. Income tax and corporation tax revenues fell during the month after a surge in October. But the only real disappointment was VAT revenues, which at £3.7bn were £295m below their level the previous November despite the strong growth in consumer spending.

The cumulative departmental spending for April to November was 3.5 per cent higher than at the same stage last financial year. This is ahead of the planned 2.25 per cent growth, although the traditional end-year spending surge is unlikely to be as pronounced this year as last.

M&G backs £196m bid for Newman

Patrick Tooher

FKI, the acquisitive engineering group, yesterday launched its first hostile takeover by delivering a potentially knock-out bid worth £196m for Newman Tanks, Europe's largest architectural hardware company.

In a highly unusual move M&G, Newman Tanks' biggest shareholder with an 11.2 per cent stake, said it had irrevocably undertaken to accept FKI's offer while Britannia Assurance, another institutional investor, also pledged its 2.2 per cent stake to FKI.

M&G normally backs incumbent management in takeover situations but the fund manager has become disillusioned with Newman Tanks' poor track record.

"In no way could it be described as a successful company.

It has demonstrably underperformed," said Nigel Morrison, FKI's managing director.

However, Mr Morrison de-

cided M&G had changed its policy on takeovers. "This is a one-off situation," he said.

Newman Tanks, a Birmingham-based maker of door handles, locks and hinges, rejected what it called FKI's "opportunistic" bid and urged shareholders to take no action. It said the bid did not reflect its value of £150m, or 1.5 times earnings.

However, Mr Morrison de-

cided FKI was offering a mixture of cash and shares worth £150m, or £196m. There is a 140p cash alternative. The deal is being funded by a fully underwritten conditional rights issue of two new FKI shares for every 13 existing shares held at 175p to raise £152m.

The rest of the deal will be funded from internal resources, taking FKI's gearing up from

more than 60 per cent to 80 per cent. Jeff Whalley, FKI's chairman, said the combination of Newman Tanks with FKI's hardware group would create a business with an annual turnover of £500m, making it the largest of FKI's four divisions with 38 per cent of sales.

FKI first approached M&G a fortnight ago. Talks between Mr Whalley and Newman Tanks' chairman, Christopher Hughes, about an agreed 134p-a-share cash offer worth £172m began on Thursday at the London offices of ING Barings, the merchant bank brought in to handle the deal ahead of FKI's normal advisers, Rothschilds.

But discussions broke down on Sunday when Newman Tanks revealed it had been approached by FKI but did not close a bid value.

Last night shares in Newman Tanks ended 20.5p firmer at 149.5p. FKI fell 3.5p to 196.5p.

Burnfield rejects Fairey offer

Burnfield, the laser technology to pressure gauges group, said it had "no hesitation" in rejecting a hostile £51.1m bid made yesterday by the rival engineer Fairey.

John Poulter, chief executive of Fairey, claimed that the Ling purchase would cut Burnfield's earnings in the next year. Burnfield said, however, that the Ling deal offered good potential, and urged shareholders to vote in favour of the acquisition at an extraordinary general meeting on 30 December.

UK law firms agree merger

Roger Trapp

Adrian Burn, of accountants Binder Hamlyn, which advises many law firms, described the merger as "a wise move" that was likely to be followed by other link-ups. Earlier this year, Dibb Lupton Broomhead, the aggressive regional-based firm that was previously the country's 10th-biggest, took in Alsop Wilkinson to become the second-largest firm.

While the top five firms, headed by Clifford Chance, are increasingly competing internationally with the biggest US firms, about 40 firms earning fees of between £25m and £50m a year are facing increasing competition from each other, from operations that have lower overheads through being based outside London, from US practices and from the large accountancy firms, which are increasingly eyeing the lucrative legal market as a counter to audit and other compliance-type work. This year, Arthur Andersen announced that its legal operation earned about £1.5bn. Figures published by Legal Business show Cameron Marbury Hewitt and McKenna & Co were the 14th and 15th largest firms.

\$1m bonuses for Goldman Sachs staff

Goldman Sachs yesterday announced its second-best ever profits performance, putting many employees in the giant US securities firm in line for pocket annual bonuses of more than \$1m (£600,000) each. And partners in the 1.7-year-old firm are set to receive even larger multi-million-dollar rewards through increases in their shareholdings in the firm.

There is a belief on Wall Street that bonuses paid to employees at other leading securities

houses, which include Salomon Brothers, Morgan Stanley and JP Morgan, will be up to 45 per cent higher than last year's payouts.

However, several analysts are predicting that the bubble is about to burst. Salim Krawcheck, an analyst at Sanford C Bernstein, predicts that profits at securities houses have "nowhere to go but down".

The profits increase has come as surging stocks and low interest rates boosted stock and bond underwriting and mergers

and acquisitions. "The market environment was singularly favourable to Goldman," said John Keefe, an independent securities analyst. "They had a great share of underwriting and lots of merger and acquisition activity ... there were lots of opportunities for them."

Goldman was the leading US underwriter of common stocks in the last three months. It arranged \$7.9bn of sales for clients, according to Bloomberg Financial Markets.

Yesterday's move, which comes as the second tier of City law firms is under increasing pressure, had been expected for some time, with some speculating that a third firm, Denton Hall, might also join the new organisation. One observer predicted that the two practices might yet seek another partner, possibly from the United States, in an attempt to challenge the truly international players in the top five.

STOCK MARKETS									
FTSE 100		Dow Jones*		Nikkei					
29,190.60	-14.20	-0.4	4073.10	3632.30	4.00				
27,616.00	-17.20	-0.2	4553.60	4015.30	3.63				
25,177.50	-6.20	-0.3	2022.10	1816.60	2.92				
23,131.63	-0.32	-0.0	3244.36	1952.56	3.24				
20,495.46	-5.15	-0.3	1994.54	1791.95	3.57				
18,630.88	-1.69	-0.1	8547.19	5032.94	2.09				
15,111.46	-6.58	-0.0	2365.50	1973.70	0.79				
12,781.53	-17.11	-0.4	1552.95	1204.87	3.19				
9,751.15	-40.66	-1.4	2909.91	2253.36	1.80				

Source: FT Information



COMMENT
So far, 111 reports have been published and although we still await two of the most interesting – those into the Maxwell scandal and the Guinness affair – publication has served a public service'

Case for still sending in the DTI inspectors

Ernest Saunders' victory before the European Court of Human Rights has done no favours for the system of sending in DTI inspectors to get to the root of corporate corruption and maladministration. But the judgment should not obscure the fact that they remain an important part of the apparatus for determining blame and then finding remedies when things go pear-shaped, as they so often do in commercial life.

The use of DTI inspectors was never intended to be an aid to the successful prosecution of those charged with breaking the law. However, it became so as the ever-zealous Michael Howard piloted the Financial Services Act onto the statute books.

Instead, the purpose of DTI investigations was to serve as post-mortems and get to the bottom of some murky affairs. Hence their powers to compel witnesses to give evidence under pain of imprisonment which lay behind Mr Saunders' appeal to the court.

These powers have now been conferred on the Serious Fraud Office for the purposes of pursuing prosecutions but that does not alter the need to retain DTI inspectors. So far, 111 reports by DTI inspectors have been published and although we still await two of the most interesting – those into the Maxwell scandal and the Guinness affair itself – publication serves a public service. It is one of the few, unvarnished ways of getting at the truth behind corporate failure and one of the best means of informing practice and law to prevent future re-occurrences.

Save for the Bank of England's self-serving report on the Barings fiasco, we will probably never definitively know who was to blame for the collapse of Britain's oldest merchant bank. Likewise, in the absence of DTI inspectors, we may never get to the bottom of the Morgan Grenfell scandal, even if the SFO does decide to proceed.

In the Guinness case the European Court may have ruled that the use to which DTI inspectors' evidence was put denied Mr Saunders a fair trial. But that does not detract from the important role they should continue to play.

A super regulator has few followers

One of the bodies that has attempted to discover the truth behind the Barings collapse is the Commons' Treasury Select Committee. Its report, published last night, contrasts sharply with the fierce exchanges witnessed when the MPs were taking evidence from the Bank of England and the other dramatic personae.

Gone is all the vituperative personal criticism of the players in the drama and in its place is a measured and serious piece of work that showed that after a series of inquiries into Johnson Matthey Bankers, BCCI and now Barings the committee is able to get a grip on the technical issues of banking supervision.

The members include Brian Sedgemore, the Labour veteran on the committee who cut his teeth – mainly on the neck of Lord Kingsdown, then Robin Leigh-Pemberton, Governor of the Bank of England – during the mid-80s inquiries into JMB.

The committee is extremely critical of the Bank – and deservedly so. The last time the same Lord Kingsdown appeared before it was to explain how much sharper the supervision department had got at doing its job in the wake of the BCCI scandal. Then Barings happened.

But the committee has drawn back from recommending that the Bank should lose responsibility for supervision, instead leaving it in the air as a threat in case things don't improve. This question of whether to break up the Bank is one that has had the Labour Party backing steadily away, as it researched the complications of rebuilding the supervision system almost from scratch. The strongest argument in favour has always been that when the Bank's supervision arm fails, it indirectly damages its reputation for conducting monetary policy, something that has taken on more importance as the Governor acquires more influence over the Chancellor in setting interest rates.

The committee is right to point out the cultural problem of having the supervisor too closely close to its charges. Indeed, long term, there is an attractive logic in proposals for a new super regulator covering both securities and banking – two industries that are

merging rapidly. But as the MPs' restrained comments show, support for that proposition is now muted on both sides of the house.

Back to the days of honky-Tonks

Just as everyone else is doing the splits, having decided that conglomerates are out and "focused" businesses are in, along comes a blast from the past to turn back the clock. Jeff Whalley is best remembered as part of the duo at FKI that blazed an acquisition trail across the industrial landscape in the 1980s until it came horribly unstuck with the reverse takeover of contracting group Babcock.

Well, Mr Whalley is back with another partner and this time FKI's target is the sleepy old maker of architectural hardware (door knobs to you and me), Newman Tonks, which yesterday found itself on the wrong end of a £190m bid.

Naturally, Mr Whalley and his new partner, Bob Beeston, eschew any suggestion that the bid is a throwback to the conglomerate-happy days of the Eighties when you were only as good as your last and preferably hostile bid.

FKI, they insist, is a reformed character – an international manufacturing group focused on a range of complementary businesses. Whilst it is true, amazingly enough, that this is FKI's first hostile bid, its portfolio of businesses would nevertheless

appear to fit the description of conglomerate unless there is some connection between car headlamps, conveyor belts and castors that the rest of us have missed.

The rationale for the bid, in as much as one exists, is that by welding together Newman Tonks with FKI's existing hardware group it will create a business that merits the word "core". In reality, it is an opportunist offer. Newman Tonks has performed abysmally on most measures of shareholder return. So much so, in fact, that its biggest institutional investor, M&G, has already undertaken to vote its 11 per cent stake in favour of the offer even if a higher bid comes along. For a shareholder that normally backs incumbent management to the hilt, that speaks volumes about the current leadership of Newman Tonks.

For its part, Newman Tonks, has already begun making noises about a white knight – a sure sign of desperation when the offer document has not even been posted and the bid clock is yet to start.

Mr Whalley has already splashed out £260m this year on an Italian manufacturer of car alternators, an electrical power business and another door knob maker – all in the name of focus, of course.

The combination of a hungry predator, a disillusioned shareholder and an indifferent track record is not the most auspicious platform from which to launch a defence of Newman Tonks.

IN BRIEF

Eurotherm goes for growth

Eurotherm, the instrumentation to motor controls group, said it could handle up to £100m of acquisitions as it announced a switch to a more aggressive growth strategy. The move is a triumph for Claes Hultman, the chief executive who resigned and was then reinstated earlier this year after a row over strategy with then chairman Jack Leonard. The company revealed the boardroom spat had cost £300,000 in fees to ING Barings and other advisers. New chairman Sir James Hann confirmed that non-executive directors Rhys Williams and Sid Taylor would retire at February's annual meeting, along with the former chairman, but said there would be no pay-offs for loss of office. *Investment Column, page 16*

Green light for Ciba/Sandoz merger

The two Swiss drug giants Ciba and Sandoz cleared the last hurdle to their £3.4bn merger when the US authorities approved the deal. The Federal Trade Commission gave conditional approval for the merger, which will create the world's second-largest pharmaceuticals group after Glaxo Wellcome, to be called Novartis. Clearance is subject to the two companies licensing out or divesting several product areas.

Surprise cut in French rates

The Banque de France cut its key intervention rate yesterday by 5 basis points to 3.15 per cent, taking the financial markets by surprise. The move was seen as symbolic, as it was too small to have much impact on the economy. The central bank also announced that its monetary targets for 1997 would be unchanged.

Higgs & Hill sells construction arm

Higgs & Hill yesterday sold its struggling construction division to focus on its property and housebuilding activities. The sale of the construction arm for £28.5m to Hollandsche Beton Groep gives the company cash proceeds of £6m but means it surrenders to right to the Higgs & Hill name and will now be known as Swan Hill. George Duncan, chairman, said: "As a medium-sized general contractor, the construction division has been increasingly at a disadvantage in a market which is consolidating into major international contractors with large balance sheets and small contractors working off low cost bases."

Sherwood warns of lower profits

Sherwood Group said pre-tax profits for the second half of 1996 would be appreciably less than the £3.75m made in the first half, after incurring or providing for exceptional reorganisation costs for the full year of £3.1m, of which £800,000 relates to the first half. The company said indications for 1997 were more encouraging and it is proposed to maintain the dividend for the year ended December 1996 at the same level as for 1995. Sherwood's shares fell 17p to 41.5p.

P&O appoints Mobbs to Bovis

Peninsular and Oriental Steam Navigation Co said it had appointed Sir Nigel Mobbs as non-executive chairman of its wholly owned subsidiary Bovis Homes. Bovis is due to float on the stock market in 1997. Sir Nigel is chairman and chief executive of Slough Estates and is on the board of Barclays.

Coats shares up after warning

Coats Viyella closed 5p higher at 127p as analysts expressed relief that a trading statement yesterday was "not worse". Coats warned it would be taking a £55m restructuring charge in the current year but said underlying operating profits would emerge "similar" to last year's.

BT goes to court over watchdog's new powers

Chris Godsmark
Business Correspondent

British Telecom yesterday began its long-awaited High Court challenge against controversial moves by Don Cruickshank, the industry regulator, to take on wide-ranging powers to ban anti-competitive behaviour.

However, as the judicial review got under way it emerged that Mr Cruickshank could reopen a tough four-year price regime for BT's residential customers, which he has tied to the new fair trading powers, if the company won the court case.

An Ofcom spokesman confirmed that the regulator could look again at the price formula, which cuts domestic phone bills by 4.5 per cent a year from next August until July 2001. It also excludes almost all business customers for the first time on the grounds that competition in the business phone market is already well established.

In court Roger Henderson QC, representing BT, attacked the new licence conditions which he claimed would give Mr Cruickshank much wider powers than those envisaged by



Test case: Don Cruickshank's proposed powers draw heavily on European competition law and the outcome of the judicial review will have implications for the Government's broader competition policy

Parliament when it passed the law which defined the role of Ofcom, the watchdog, at privatisation in 1984.

The outcome of the judicial review is also likely to influence the future direction of the UK regulatory system and has implications for the Government's broader competition policy.

The proposals draw heavily from European competition law, which the Government has recently delayed introducing into the UK.

The new powers, which come into effect from 31 December, enable Mr Cruickshank to move much more quickly on any action by BT or other telecoms companies which he decides was anti-competitive. They would replace the current system based on many individual licence conditions designed to stamp out specific actions such as the requirement to provide a system for making calls to the emergency services.

BT accepted the measures in the summer at the eleventh hour, narrowly averting a full-blown investigation by the Monopolies and Mergers

Commission, in one of the most bitter disputes ever between the company and its regulator.

Approval by BT came after Sir Peter Bonfield, chief executive, secured what he claimed was a key concession, where Cruickshank agreed to appoint an advisory body to vet his decisions. However, the group of four experts, which will be chaired by Jeremy Lever QC, a former leading competition lawyer, has no power to enforce

any of its recommendations.

In court yesterday BT labelled the advisory group a "shadow of the Monopolies and Mergers Commission" with no power to make binding rulings. Describing the advisory board as a "neutered body", Mr Henderson argued that "checks and balances are not what they appear".

Though BT has accepted the new powers and the package of price controls, the company claimed it had a duty to mount

the legal challenge to protect its shareholders. The action is supported by Vodafone, Britain's leading mobile phone operator, which believes the changes concentrate too much power in the hands of one person.

The main thrust of BT's attack was on the scale and subjective nature of Mr Cruickshank's new powers, which the company claimed would elevate him above the existing overall competition watchdog, the Of-

fice of Fair Trading. Indulging in liberal cricketing metaphors, Mr Henderson said: "Effectively we're getting a second wicket keeper."

He claimed Ofcom would inevitably regard BT "as in a dominant position across the board" because of its near monopoly of local domestic telephone services. The burden would constantly be on BT to prove its strategy was not designed to thwart competition.

United Biscuits sells Ross vegetables for £44m

Magnus Grimond

United Biscuits, the snacks to frozen goods group, yesterday took another step towards focusing its business with a £44m deal to sell its Ross Vegetable Products operation to management.

The deal comes just about a year after the group sold its troubled Keebler business in the US and is being seen as the latest attempt by the chief executive, Eric Nicol, to reverse the declining fortunes of the group.

It will result in a £32m write off of goodwill and £19m of capitalised brand value.

The Ross operation was identified as non-core earlier this year after a reorganisation of the whole frozen and chilled foods operation to focus on "priority markets". The limited marketing and investment in the business, which includes the Ross frozen vegetable brand and Oriental Express ready meals, has left it lagging behind rivals such as Bird's Eye, Tenda frost, Findus and Heinz.

One said that in recent years United Biscuits had concentrated on differentiating its frozen food business by specific markets, such as the Linda McCartney range of vegetarian meals, San Marco pizzas and Young's Seafood. "Basically, I don't think they would claim that frozen vegetables is a great value-added sector," he said.

It is understood that the management-led group beat a number of other offers after Ross was "reasonably widely marketed" to possible buyers,

although it is thought Bird's Eye, part of Unilever, might have faced competition problems in completing a deal. The winning group, RVP Foods, a specially-formed company, is backed by the private equity arm of the Union Bank of Switzerland. Of the total £44m consideration, £2m is deferred.

Ross had operating profits of £6.2m on sales of £56.1m in 1995 and net assets of £11.4m last December. But one analyst suggested that level of profitability was not likely to be sus-

tained, pointing to the distorting effect of higher potato prices following the drought that year. Although there will be some earnings dilution in the short term from the sale, United Biscuits is thought to concur that Ross has reached peak profitability. The proceeds of the deal will be used to reduce net borrowings which stood at £387m in July.

The Ross Vegetable business was acquired in 1988 with Ross Youngs, the food operation of Imperial Group.

Retuning may cost Pearson £180m

Matthew Horsman
Media Editor

Pearson, the media and information company, will today detail a higher-than-forecast budget for the retuning of video recorders for the new Channel 5 service, with estimates ranging up to £180m. That would compare with the original budget of £55m, and the subsequent forecasts of £120m.

Pearson's share of the retuning costs could be about £45m, reflecting its 24 per cent interest in the new terrestrial service. The figure will be included in an eagerly awaited trading statement from the media, leisure and financial services conglomerate, which is expected to concentrate on news from the US and UK book publishing businesses.

Pearson is expected to say that its US Penguin subsidiary has largely avoided the troubling trend in the United States toward a high level of returns from

Low pay and insecurity common in small firms

Barrie Clement
Labour Editor

The much-trumpeted success of small companies as the job-creating lifeline of the economy is called into question by new research today.

The world of the smallest enterprises is "exceptionally turbulent" with only one in two surviving more than three years, and providing jobs which offer poor pay and minimal training, according to Alan Hughes, director of Cambridge University's ESRC Centre for Business Research.

He explicitly contradicts Ian Lang, President of the Board of Trade, who claims that "small firms have been the principal source of new jobs in this country for many years".

In a paper published by the Employment Policy Institute, Mr Hughes reports that "only a handful" of small and medium-sized enterprises (SMEs) show signs of consistent employment expansion. The chances of the "micro-business" employing fewer than five people were "slim".

Innovative firms were more likely to survive and those who built up collaborative relationships with suppliers and universities.

The evidence, which parallels recent research in the United States, does not support ministerial assertions that the small business sector is the lifeline of the economy, providing the new ideas, products and services.

"Do we really want to continue the recent trends in the UK of encouraging the creation of large numbers of micro-firms, which offer low wages, insecure jobs with low skills? Or do we want to foster an SME sector strong on innovation, stable growth and high skills?" Mr Hughes writes.

He said it was a challenge to Government to find out why so few enterprises succeed. Ministers should discover ways of encouraging the firms to do better and to create businesses with the capacity to innovate and offer stable employment.

The research found that the overall net growth of 400,000 businesses between 1980 and 1991 was the difference between 2.1 million registrations and 1.7 million deregistrations. Around one in 10 businesses left the VAT registers in any one year in the 1980s. "Within this turbulent world the very smallest firms are six times more likely to leave the register than the rest," the report says.

Around 60 per cent of those leaving the register each year had done so because of business failure. Only 55 per cent of newly registered enterprises survived to three years and 35 per cent to six years.

easyJet
Barcelona £49
Daily scheduled flight to Spain
Amsterdam £35 • Scotland £29 • Nice £49
All fares single excl. tax subject to availability
every seat on every flight £49 single up to and including Dec 18th 1996

business

Snooze outweighs booze at Vaux

THE INVESTMENT COLUMN

EDITED BY TOM STEVENSON

Sir Paul Nicholson must wonder what he has to do to satisfy the City. The patrician chairman of Vaux would never show it, but he is understandably irritated by the persistent view in the soft South that the company is nothing more than a regional brewer supplying a tired chain of tenanted pubs in a depressed area of the country. Record profits in the 12 months to September were rewarded by a 5p fall in the share price to 252.5p, a discount even to net assets.

Those results saw pre-tax profits rise 9 per cent to a best-ever £34.8m (£31.8m), earnings per share were also the best the group has achieved at 19.3p and the dividend, which has grown every year since 1969, edged ahead from 10.2p to 10.6p.

As with all misleading perceptions, the prevailing view of Vaux, however, has a grain of truth at its centre. The area around the company's Sunderland base has suffered enormous de-industrialisation and its 749 tenancies include a long tail of dingy boozers in areas no pub chain would choose now. The transfer of a senior manager from the 163-strong managed pub chain to tenancies is a tacit admission that the company has been slow to churn the bottom end of the estate.

As a result, profits from tenancies, still a significant contributor to the group total, fell 12 per cent to £12.9m, taking the shine off a good performance from managed outlets, up 17 per cent to £9m, and brewing, where returns rose 27 per cent to £4.5m despite another forced widening of discounts to both tenants and free trade landlords. Brewing has benefited from cost-cutting and plainly has a future as a niche player in an increasingly consolidating market.

Brew is only half the picture at Vaux, however, a fact sometimes overlooked by investors. The snooze side of the equation is arguably much more attractive than the booze, with the Swallow Hotels chain consistently winning plaudits for the quality of its 30 mainly four-star sites. Profits in the year rose £4.3m to £2.4m, after occupancy levels increased from 68 to 72 per cent.

The hotel cycle should have a way to run yet and two new hotels in Liverpool and Huntingdon should keep the momentum going. Sir Paul maintains that the costs involved would not be justified by the benefits in rating terms of demerging the two sides of the group, but it is an issue that management will have to keep under consideration if the shares continue to languish.

On the basis of forecast profits of £37.3m, the shares trade on a prospec-

tive price/earnings ratio of 12, and offer a yield of 5.5 per cent. Against a backdrop of such slow growth, neither ratio makes the shares look particularly attractive compared with rivals Greene King and Wolverhampton & Dudley.

Heat turned up on Eurotherm

Eurotherm chief executive Claes Hultman walks on hallowed ground, and that is not just a reference to his other job as chairman of Wembley. Such is his veneration in the City that shareholders forced the controls and instrumentation company to take him back earlier this year after he stormed out following an acrimonious and very public tiff with the then chairman.

But the aggravation and the £300,000 fees paid to ING Barings and other advisers as a result of that dispute are a flea-bite compared with the challenge Mr Hultman now faces.

Pre-tax profits up 11 per cent at £37.7m in the year to October represent a significant slowdown from the

30 per cent or more growth which Mr Hultman has typically managed to squeeze out of the business in the six years he has been there.

Combined with news of tougher trading ahead, particularly in the US, Germany and the Scandinavian countries, the shares reacted with a 20p fall to 540p yesterday.

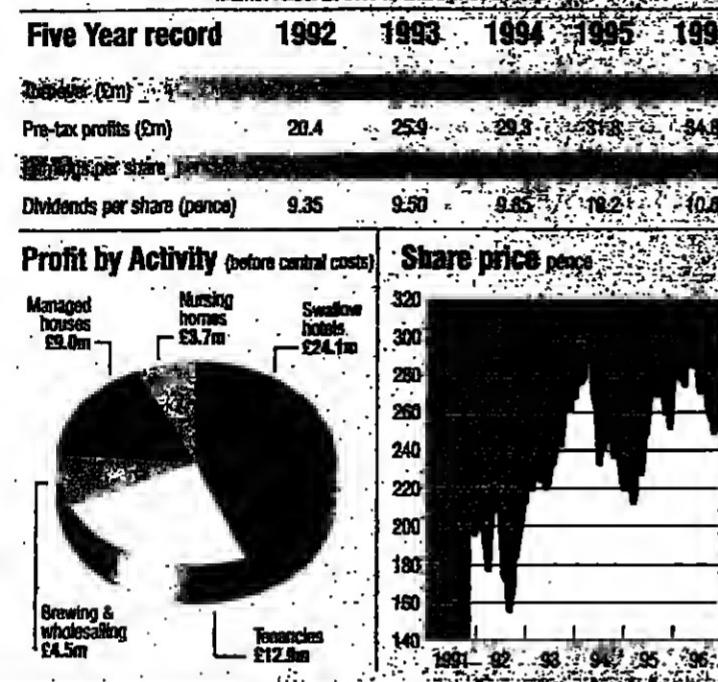
All the damage last year was concentrated in the dominant controls and instrumentation business, where around half the £300,000 profits shortfall to £23.4m was due to the closure of a contract electronics operation in the US.

The problem facing Eurotherm is that the market for traditional temperature controls and paper chart recorders for sewage plants, process industries and the like is either mature or in decline, while it takes two or three years for its new leading edge products to kick in.

Those will perform in future, but it is clear the days of dramatic margin improvement at the group are over, which explains the new-found concentration on acquisitions. With cash representing a third of shareholders' funds, Eurotherm could comfortably

Vaux Group: at a glance

Market value: £356.5m share price 262.5p



spend up to £100m over the next 18 months or so on one or several buys.

There is no reason Mr Hultman should not manage this new phase of the company's development as well as the past. But if the pound remains at current levels, profit might be pushed to exceed £41.5m this year. Standing on a prospective multiple of 18, the shares could mark time until the future becomes clearer.

Securicor slide surprises City

It is more than six months since Securicor, the security and Cellnet mobile phone group, swept away its archaic shareholding structure and entered the real world to the plaudits of the City. Since then, however, investors have experienced anything but the rosy outcome predicted by some brokers. The shares promptly slid from 215p to a low of less than 250p and, despite three attempts to recover over the summer and autumn, added just 1.5p to 261.5p yesterday.

Given the encouraging 8 per cent surge in pre-tax profits to £107.4m reported yesterday for the year to the end of September, this is surprising. Hoare Govett raised its forecast for next year to £120m from £116m, pointing to the strong impact of a high street-led recovery on Securicor's diverse businesses, which include collecting cash from retailers, delivering goods to retailers and the mobile phone market.

One reason for the forecast rise in profits is that the group has apparently managed to sustain increases in prices in most of its key businesses. The price war that so damaged the mobile phone market early this year seems to have petered out, while Securicor has resisted matching price cuts in its security businesses.

But the company's earnings are dominated by the 40 per cent stake in Cellnet, which contributed £76.6m to annual profits, an increase of 8.5 per cent. Since the Government blocked the sale of the Cellnet stake to BT last year, it gives investors a dilemma - Securicor is worth much more in pieces than it is as a whole.

The Cellnet stake could cost as much as £2bn, against Securicor's current market value of less than £1.6bn. Directors have floated the idea of selling the Cellnet shareholding to an outside bidder, without BT to bid up the price this is unlikely. Shareholders can hope for the boost from organic growth, but the big prize seems as far off as ever.

When the top brass are all at sea

PEOPLE & BUSINESS



In training: Ian Reynolds, CU's second-in-command

BT and Commercial Union will be without some of their top brass in the new year thanks to the BT Global Challenge yacht race.

The year-long jaunt started from Southampton in July and reaches Wellington in a fortnight. BT's deputy chief executive, Dr Alan Ridge, will fly out for the week-long sail from Wellington to Sydney. Commercial Union's general manager, Ian Reynolds, will also join the trip, which has been arranged to coincide with CU's annual board meeting in Sydney.

Less people think this is an out-and-out jumble (which it is). Mr Reynolds has been doing some rigorous training.

He has recently spent five days in Cornwall training the regime included a day sail followed by a four- or five-mile run and a nice refreshing dip in the icy sea.

So keen is Mr Reynolds to play down his elevated position in CU's corporate hierarchy (he is the insurance giant's number two) that he sat his colleagues down at the beginning of the training session and told them he was to be called "Ian" all the way and none of this "Mr General Manager, Sir" nonsense.

In an attempt at Archie-Norman style man-of-the-people

management, he has also

had an "Ian" label attached

to his weatherproofs with an

other underneath saying

"Not the general manager".

Michael Spencer, head of City moneybroker Intercapital, has kept up his tradition of unusual Christmas cards. This year's effort is a full-colour 12-page "magazine" compiled in the style of teenage girls' magazines. Called *Mine & Yours*, the lavishly produced publication includes a *Jackie* magazine-style picture story called "Alexandria - a modern love story in pictures".

This features a red-dressed

youngster and her pursuit of

her bear at a party. The key roles were played by real-life Intercapital brokers Alex Dunlop and John Cicale.

The tale ends with the two

collapsing into each other's

arms in a romantic finale.

Touchingly, the two are now

engaged.

Meanwhile, Mr Spencer,

who is on holiday in Australia, is continuing his peacock for dressing up in

strange clothing. At the Intercapital Christmas party last week at the Whitechapel art gallery, the theme was

Friday 13th and he turned up

wearing a white tut, black

velvet cape and top hat.

Meantime, Mr Spencer,

who is on holiday in Australia, is continuing his

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Cash and clout elude punters

Given that Charles Roberts left the Jockey Club's headquarters in Portman Square last night £11,974.21 richer than when he entered, he should have been one of the happiest punters in Britain. His winnings, however, are only on paper, and while the 200-year-old Tattersalls Committee, betting its self-appointed High Court, had decided that SP Racing Ltd, of 81 Headstone Gardens, Harrow, is liable for the debt, but Scum Purcell, Roberts only obvious opponent at yesterday's hearing, claimed afterwards that he is not a director of the company in question. Instead, he is a director of SP Racing Enterprises Ltd, of 81 Headstone Gardens, Harrow, a different company entirely.

If the debt is not paid in 21 days, the Committee will investigate SP Racing Limited, determine who its directors are and recommend to the Jockey Club that they be warned off.

As punishments go, however, this hardly ranks alongside exile to Devil's Island, since the firm trades off-course anyway; and yesterday's proceedings simply highlighted once again how difficult it is for punters — or hooligans for that matter —

Greg Wood finds no joy for gamblers when racing's bureaucrats meet

to recover unpaid gambling debts.

Roberts could oppose SP Racing Ltd's betting licence when it is next due for renewal, but as yet no magistrate has refused to grant a licence simply as a result of unpaid debts.

The National Association for the Protection of Punters, meanwhile, recently demonstrated how easy it is to obtain a licence when the organisation's secretary successfully applied for a permit, even though he has less than £1,000 worth of liquid assets to his name.

"Magistrates just aren't the right people to be going round issuing licences," Roberts said. "Trainers and jockeys and other people who have just as much part in the running of racing have to go and prove they can do it. They should show that they know what they are doing and that they have the money to do it. For now, punters should realise that if they're not absolutely sure they will be paid out, it's just not worth having the bet."

For all its unenforceability, the adjudication by the Tattersalls Committee was a far more satisfactory conclusion than any to be drawn from the British Horseracing Board's annual Industry Committee Forum. It is only fair to point out that, in the not-so-distant days of the

Jockey Club, it would have been inconceivable to find racing's senior figures exposing themselves to the opinions and criticisms of racing's babbling multitude of interest groups. Ultimately, though, the only concrete lesson to be drawn from yesterday's gathering in South Kensington is that there is nothing, but nothing, quite like a good moan.

For some outsiders, the principal attraction of the Forum was the hope of seeing Lord Wakeham, the BHB chairman and a former Conservative chief whip, being thoroughly harangued by the sort of people who once formed his most devoted constituency. When Ken Clarke failed even to mention racing in his Budget speech, the BHB's three-and-a-half year honeymoon period with most sections of the industry reverted swiftly to domestic squabbles, and yesterday day spilt out onto the street.

The continuing lack of a long-promised "financial plan" which would allow the BHB's performance to be measured with some accuracy, is a particular cause for complaint, not least among business-minded owners. Other factions from jockeys through to bookies also took the chance to add their ha'porth, although a voice speaking on behalf of the punters who fund racing via the levy was conspicuously absent.

The answer to most problems

it seemed, would be provided by a forthcoming wholesale reworking of the industry, and Lord Wakeham stroked most of the

criticism into the covers with the ease you would expect of an ex-politician. Wakeham is much given to phrases such as "let me make it abundantly clear," which, as any connoisseur of MP-speak knows, is a fair sign that he is about to do anything but. Only once did his self-

assurance slip, as he engaged in a brief yet entertaining spat with Peter Savill, one of the country's leading owners.

"It may not be the case where you come from," Wakeham told him, "but the BHB's decisions are made in a democratic manner." Just in case anyone had



Rough Quest and Mick Fitzgerald on their way to winning at Folkestone yesterday

Photograph: David Rogers/Allsport

Rough is ready for Kempton

Rough Quest is on course for a crack at the King George VI Chase on Boxing Day after an impressive win over hurdles at Folkestone yesterday at the astonishingly generous odds of 5-1.

Despite making a mistake at the last flight, the Grand National winner quickened easily on the flat to get up to beat Desin D'Estrail by half a length.

His rider, Mick Fitzgerald, said: "If he hadn't made a mistake at the last, he'd have won without coming off the bridle."

The winning trainer, Terry Casey, added: "That was a nice run round for him and should have put him right for the King George. We'll school him over fences on Sunday morning."

William Hill and Ladbrokes have cut Rough Quest a point to 5-1 joint-second favourite for the Kempton race.

Warren Marston will be replaced by Norman Williamson aboard Naithen Lad when the Jenny Pitman-trained Sun Alliance Chase winner makes his reappearance at Bangor today and Williamson will remain in the saddle when the gelding lines up for the King George. Marston, Pitman's stable jockey, rode Naithen Lad in all six starts last term which included three other wins.

Tying Again has been well supported, from 16-1 to 12-1 with Ladbrokes, for Kempton, but his trainer, David Gandy, is keeping his options open. The horse is yet to race on fast ground.

"The Mid Season Chase at Wincanton is a possibility and I'll put him in a three-mile chase in Ireland as well," Gandy said.

RESULTS

FOLKESTONE

12.30: 1. ZINGEAR (N Williamson) 5-1. 2. Wayfarer (E Evans) fav. 3. Footnotes 11-2, 4 ran. 8, 1. U.M Bradley, Chelmsford, Total: £5.80, DF: £2.70, CSF: £9.80

1.00: 1. BALLY CLOVER (N Williamson) 7-4 fav. 2. Rauntington BM 20-1; 3. Giles Mirage 9-1, 10 ran. 21, 3½, (Mesa V Wilkins, Herford), Total: £2.70, £1.30, £5.40, £2.40, DF: £14.90, CSF: £30.45, Tricest: £219.04, Total: £47.90,

1.40: 1. ANSI SONG II (D Bridger) 7-4 fav. 2. Starlight (D Bridger) 11-2, 12 ran. 21, 3½, (Mesa V Wilkins, Herford), Total: £5.80, £4.70, £1.50, £10.10, DF: £24.00, CSF: £26.94, Tricest: £477.49, Total: £491.80 (post won).

2.00: 1. MELON (D Mould) 9-2, Conqueror 11-2, 12 ran. 21, 3½, (Mesa V Wilkins, Herford), Total: £12.20, £3.20, £1.50, £26.60, CSF: £17.73, Total: £23.90.

RICHARD EDMONDSON
NAP: Sun Starter
(Bangor 1.30)
NB: Kimanick
(Exeter 1.10)

2.20: 1. ROUGH QUEST (M Fitzgerald) 5-1; 2. Devilin D'Estrelle 11-4 fav. 3. Royal Blue 11-4, 12 ran. 21, 3½, (Mesa V Wilkins, Herford), Total: £1.60, £1.00, £2.20, £2.50, CSF: £69.71

3.30: 1. GUNDO (N Williamson) 9-2, 10 ran. 21, 3½, (Mesa V Wilkins, Herford), Total: £1.60, £1.00, £2.20, £2.50, CSF: £69.71

4.30: 1. PERMARINE (G Hogan) 3-2; 2. Solent Dancer 11-1; 3. Flora 15-8 fav. 7 ran. 1½, 9, (Mrs A Woodward, High Wycombe), Total: £9.30, £3.00, £5.50, £24.90, CSF: £69.71

5.30: 1. GUNDO (N Williamson) 9-2, 10 ran. 21, 3½, (Mesa V Wilkins, Herford), Total: £1.60, £1.00, £2.20, £2.50, CSF: £69.71

6.30: 1. ROYAL RUMBLE (G Hogan) 5-10, 11 ran. 21, 3½, (Mesa V Wilkins, Herford), Total: £1.60, £1.00, £2.20, £2.50, CSF: £69.71

7.30: 1. LILY THE FLY (G Hogan) 5-10, 11 ran. 21, 3½, (Mesa V Wilkins, Herford), Total: £1.60, £1.00, £2.20, £2.50, CSF: £69.71

8.30: 1. MOONLIGHTS (G Hogan) 5-10, 11 ran. 21, 3½, (Mesa V Wilkins, Herford), Total: £1.60, £1.00, £2.20, £2.50, CSF: £69.71

9.30: 1. MY LOVE (G Hogan) 5-10, 11 ran. 21, 3½, (Mesa V Wilkins, Herford), Total: £1.60, £1.00, £2.20, £2.50, CSF: £69.71

10.30: 1. ROYAL RUMBLE (G Hogan) 5-10, 11 ran. 21, 3½, (Mesa V Wilkins, Herford), Total: £1.60, £1.00, £2.20, £2.50, CSF: £69.71

11.30: 1. ZINGEAR (N Williamson) 5-1, 6 ran. 21, 3½, (Mesa V Wilkins, Herford), Total: £1.60, £1.00, £2.20, £2.50, CSF: £69.71

12.30: 1. ROYAL RUMBLE (G Hogan) 5-10, 11 ran. 21, 3½, (Mesa V Wilkins, Herford), Total: £1.60, £1.00, £2.20, £2.50, CSF: £69.71

1.20: 1. MONTRAVE (A Dobbin) 5-1; 2. Periton 7-2; 3. Puffin Pie 3-4 fav. 8 ran. 1½, 6, (P. Monette, Rosewell), Total: £5.50, £2.90, £2.70, DF: £38.20, CSF: £22.00

2.20: 1. SUPERTOP (R Gemby) 5-2; 2. Devilin D'Estrelle 4-1; 3. Tallywagger 2-1 fav. 11 ran. 21, 3½, (Mesa V Wilkins, Herford), Total: £2.80, DF: £5.30, CSF: £10.48

3.20: 1. CARLISLE BANDITO 0/4 (M Moloney, Rosewell) 5-4, 6 ran. 21, 3½, (Mesa V Wilkins, Herford), Total: £2.80, DF: £2.20, CSF: £2.68

4.20: 1. CARNEDDEN (B Story) 5-2; 2. Rapid Mover 4-1; 3. Judicial Field 11-10 ran. 4 ran. 6, 1½, 8, (U Barcley, Leiston), Total: £2.80, DF: £5.30, CSF: £10.48

5.20: 1. KARNESTAD (H Johnson) 5-4, 6 ran. 21, 3½, (Mesa V Wilkins, Herford), Total: £2.80, DF: £2.20, CSF: £2.68

6.20: 1. RAYMOND (G Hogan) 5-10, 11 ran. 21, 3½, (Mesa V Wilkins, Herford), Total: £2.80, DF: £2.20, CSF: £2.68

7.20: 1. RAYMOND (G Hogan) 5-10, 11 ran. 21, 3½, (Mesa V Wilkins, Herford), Total: £2.80, DF: £2.20, CSF: £2.68

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14.20: 1. RAYMOND (G Hogan) 5-10, 11 ran. 21, 3½, (Mesa V Wilkins, Herford), Total: £2.80, DF: £2.20, CSF: £2.68

15.20: 1. RAYMOND (G Hogan) 5-10, 11 ran. 21, 3½, (Mesa V Wilkins, Herford), Total: £2.80, DF: £2.20, CSF: £2.68

16.20: 1. RAYMOND (G Hogan) 5-10, 11 ran. 21, 3½, (Mesa V Wilkins, Herford), Total: £2.80, DF: £2.20, CSF: £2.68

17.20: 1. RAYMOND (G Hogan) 5-10, 11 ran. 21, 3½, (Mesa V Wilkins, Herford), Total: £2.80, DF: £2.20, CSF: £2.68

18.20: 1. RAYMOND (G Hogan) 5-10, 11 ran. 21, 3½, (Mesa V Wilkins, Herford), Total: £2.80, DF: £2.20, CSF: £2.68

19.20: 1. RAYMOND (G Hogan) 5-10, 11 ran. 21, 3½, (Mesa V Wilkins, Herford), Total: £2.80, DF: £2.20, CSF: £2.68

20.20: 1. RAYMOND (G Hogan) 5-10, 11 ran. 21, 3½, (Mesa V Wilkins, Herford), Total: £2.80, DF: £2.20, CSF: £2.68

21.20: 1. RAYMOND (G Hogan) 5-10, 11 ran. 21, 3½, (Mesa V Wilkins, Herford), Total: £2.80, DF: £2.20, CSF: £2.68

22.20: 1. RAYMOND (G Hogan) 5-10, 11 ran. 21, 3½, (Mesa V Wilkins, Herford), Total: £2.80, DF: £2.20, CSF: £2.68

23.20: 1. RAYMOND (G Hogan) 5-10, 11 ran. 21, 3½, (Mesa V Wilkins, Herford), Total: £2.80, DF: £2.20, CSF: £2.68

24.20: 1. RAYMOND (G Hogan) 5-10, 11 ran. 21, 3½, (Mesa V Wilkins, Herford), Total: £2.80, DF: £2.20, CSF: £2.68

25.20: 1. RAYMOND (G Hogan) 5-10, 11 ran. 21, 3½, (Mesa V Wilkins, Herford), Total: £2.80, DF: £2.20, CSF: £2.68

26.20: 1. RAYMOND (G Hogan) 5-10, 11 ran. 21, 3½, (Mesa V Wilkins, Herford), Total: £2.80, DF: £2.20, CSF: £2.68

27.20: 1. RAYMOND (G Hogan) 5-10, 11 ran. 21, 3½, (Mesa V Wilkins, Herford), Total: £2.80, DF: £2.20, CSF: £2.68

28.20: 1. RAYMOND (G Hogan) 5-10, 11 ran. 21, 3½, (Mesa V Wilkins, Herford), Total: £2.80, DF: £2.20, CSF: £2.68

29.20: 1. RAYMOND (G Hogan) 5-10, 11 ran. 21, 3½, (Mesa V Wilkins, Herford), Total: £2.80, DF: £2.20, CSF: £2.68

30.20: 1. RAYMOND (G Hogan) 5-10, 11 ran. 21, 3½, (Mesa V Wilkins, Herford), Total: £2.80, DF: £2.20, CSF: £2.68

31.20: 1. RAYMOND (G Hogan) 5-10, 11 ran. 21, 3½, (Mesa V Wilkins, Herford), Total: £2.80, DF: £2.20, CSF: £2.68

3

Wembley in 2000
Mike Rowbottom on the £230m transformation, page 20

Alan Watkins
feels sorry for
Jack Rowell, page 20

Mansell rejects his comeback chance at Jordan

Motor racing

DERICK ALLSOP

Nigel Mansell has decided against making a return to Formula One with Jordan-Peugeot next season. The 43-year-old former world champion delivered his verdict yesterday, explaining that he had not enough time for the job.

Mansell, who tested for the team at Barcelona last week, said: "I thoroughly enjoyed the

test and the professionalism and atmosphere of the team was as good as any I have worked with. Having seen their facility, and the 1997 car, I believe the team can enjoy success next season and become serious contenders."

"The idea of the test was originally to have some fun but my natural, competitive instinct took over, and a return to Formula One became a serious possibility. However, after consultations, with my family and business advisers, I quickly

came to realise that my schedule would not permit me to give sufficient time to the Jordan team and their sponsors."

It must be assumed Mansell was unconvinced about the potential of an alliance with Jordan, or that he was dissatisfied with their terms. He was seeking £5m to drive next year while Jordan were insisting on a performance-related deal.

Eddie Jordan, the team owner, said: "I believe Nigel can still be a winner, but I appreciate the

honesty of his decision. The door will always be open for him at Jordan."

So it may still not be all over, but the chances of Mansell ever returning to Formula One now appear remote. This decision could prolong the grand prix career of another Englishman, Martin Brundle. The 37-year-old will also have to accept a pay-for-points scheme, although at lower rates than Mansell. Also in contention is the Italian Giacomo Agostini.

Williams have declared their intention to contest the charges and, in a statement yesterday, FIA said: "The best legal advice is that the six will be acquitted."

Ken Tyrrell has called for a meeting of fellow F1 team own-

ers, while Flavio Briatore, the Italian managing director of Benetton, has already said his team will not race in Italy if charges are upheld. That message will doubtless be percolating through the corridors of political, commercial and sporting power in Italy, and the intervention of the FIA's president, Max Mosley, is de-

scribed as "an urgent memorandum" on the difficulties posed by Italian law, as it is being applied, to the Automobile Club of Italy and asked them to trans-

mit it to the Italian Government. Mosley said: "Whatever the outcome, no other country is involved and the Formula One world championship will not be affected, nor will the world rally European rally championship."

Meanwhile, Lola have signed the Brazilian driver Ricardo Rosset and the Italian Vincenzo Sospiri for next season.

Ilmor have agreed a £12m deal with ITV to be the broadcast sponsor of Formula One for the next three years.

FIRST TEST: Silverwood in line for debut as England face the danger of defeat by their least experienced international opponents

Atherton tries to play down the pressure

DEREK PRINGLE

reports from Bulawayo

It is seven years since Michael Atherton first visited Zimbabwe with England A and announced himself as a Test captain in the waiting. Today, when he leads England against Zimbabwe for the first Test at Queen's Sports club here, he will break Peter May's record of 35 consecutive Test appearances as captain. A cause for hearty celebration were it not for the knife-edge English cricket currently teeters on above the morass.

Of course, whether or not Atherton goes on to break May's all-time record of 41 Tests as captain, depends largely, if not entirely, on the outcome of this match. Win here and the series at least is safe. Loss and he will have to bear the consequences of precipitating English cricket into crisis.

Atherton, however, an ad-

mirably cussed fellow when the occasion suits, is having none of it, publicly refuting the symbolic magnitude of today's occasion. "Every Test match is important nowadays, one particular than others," he said at yesterday's press conference. "At the end of the day, it's a cricket match to be enjoyed and hopefully played well and we'll be doing our utmost to win."

As a rule, England tend to play their best and most inspired cricket when coming from behind - though it is usually when they are too far behind for it to have any bearing on a series. Just once, however, you would think they could gel in a pre-emptive strike, particularly against the likes of Zimbabwe, a team whose patina of greenness is matched only by a tinge of greenness, at this level.

Damp behind the ears they may be, but Zimbabwe are really revved up for this encounter, claiming they would rather beat England than any-

one else. A situation Atherton, only half-joking, reckons is because of "Our imperial past, which everyone wants to kick us in the teeth for."

Empire, no doubt inspired the Churchillian speeches that David Lloyd uses as motivational aids, which presumably work for some. Yet, if ever there was a right time for the England captain to invoke the bulldog equivalent of Imran Khan's famous "fight like cornered tigers" speech, it is now.

Incredibly, on that occasion Pakistan, who were on the verge of being eliminated from the 1992 World Cup, were transformed. And three inspired performances later, the trophy was theirs.

Unfortunately, England rarely play their cricket like that, which is why Zimbabwe may have the beating of them through a mental stalemate, with England's largely percentage players being out-percentaged by an organised team on pitches too slow for percentage play. That is a situation certain individuals like Stewart, Knight, Hussain and Gough must now attempt to rise above and conquer.

Unlike Zimbabwe, England did not know their 11 last night. As they are picking only from 12, and the pitch looks brown and flat, they intend playing both spinners. The final bowling place being contested by Andy Caddick and Chris Silverwood.

According to Atherton, both have bowled well; surely something of a snap judgement, considering Silverwood's deeds have been restricted to a couple of one-day games, while Caddick, when returning for second and third spells, has more resembled a camel loping

into one of the hot dry har- matts that blow off the Kalahari than an opening bowler with mayhem on his mind. If Silverwood does make his Test debut, the 21-year-old Yorkshireman will be the youngest Englishman to do so since Somerset's Mark Latibull in 1993. His subsequent fall from contention either serves as an appropriate example of poor selectorial judgement, or highlights the paucity of our first-class system. Perhaps it is both. Interestingly, Zimbabwe

claim to want to field first, should they win the toss, a tactic, they believe, will give their bowlers the best opportunity to be fresh for two innings. You cannot enforce the follow-on if you bat second and these days Test cricket (except when the Wimbledon final) is won by those away with rest days.

Unless it is complete kid- ology, or there are gremlins lodged secretly within the pitch, it sounds daft and it could play into England's hands, should the pitch wear with England

having posted a first-innings total of 400. It would be just what Atherton's team needs, if only to distract from the management's fuzzy logic over bringing cover for Ronnie Irani. He has had his injured back injected and has been given a 10-day period to prove his bowling fitness in time for the second Test on 26 December, a match that Craig White, who flies in as Irani's cover on 23 December, may also be available for.

The options are stark and, with only 12 men to select from, England may sub-consciously be giving themselves an excuse. If so, they are in serious danger of playing below their potential, and allowing Zimbabwe the recognition they crave.

So far this has been a curious and shambolic trip. England, who have supposedly never been fitter, but all the aigue training they did in the Algarve's swimming pools has done them little good in a land-locked country. If it were not for the seriousness of possible defeat by the least experienced team in world cricket, England's tour might well have taken on the aspect of a Joe Orton farce: chaotic at the start, an uncertain middle, and a potentially apocalyptic ending.

England front: JV Wright, M A Richards, I. Botham, R. D. White, G. B. Thomas, G. C. Scott, R. B. Croft, D. Gower, A. P. Caddick, P. C. R. Toshack, A. D. Mullally, C. E. W. Silverwood. Zimbabwe: G. W. Flower, S. V. Chakwera, A. G. Campbell, E. S. M. Mawire, J. M. Ncube, C. G. White, P. A. Stoeck, H. H. S. E. A. Brander, H. K. Olonga. Umpires: I. Robinson (Zim) and R. S. Dunn (Eng). West Indies win at last, page 2.

Playing ball: Ian Botham, left, converses with Chris Silverwood during net practice in Bulawayo yesterday

Photograph: L. Mason/Allsport

New boys anxious to make up for lost time

Zimbabwe must be taken seriously, says Henry Blofield in Bulawayo

The International Cricket Council game there might easily have withered and died.

Zimbabwe are the newest recruits to Test cricket and, just like Sri Lanka before them, it has taken them time to find their feet at this level. Unsurprisingly, like Sri Lanka too, they have prospered more in the one-day game than in Test matches. They have for some time been a force in limited-overs cricket. In the World Cup in England in 1984, for example, they beat Australia convincingly at Trent Bridge, and came close to beating India at Lord's.

It is no secret that England voted against Zimbabwe's elevation to Test status in 1991, which underlines the irony of the present situation. There was a feeling in world cricket, however, that if Zimbabwe were not then made full members of

Zimbabwe, in spite of its limited recruitment base, prospects and undoubtedly the lure of international cricket has been one of the reasons. No one present at the Queen's Club on Sunday could have failed to have been impressed by the efficiency of their side, even if their batting faltered near the end.

Yet these players continue to be referred to patronisingly as "only part-timers". Eddy Brandes is indeed a chicken farmer, Andy Waller a tobacco farmer, and Guy Whittle a big game hunter. This has been stressed to suggest they spend more of their time in gumboots with forks or guns in their hands than they do on the cricket field. That way, England's humiliation sounds the more dreadful.

But the fact is that this Zimbabwean side is an extremely professional outfit, not a collection of part timers, and they are about to take Zimbabwe into their first Test Match against England, shamefully delayed by the old TCCB, with a real chance of victory. They must not be under-estimated.

Maths.



Schmaths.



ENGLAND'S RECORD IN TEST MATCHES

In the last 20 years England have never come back to win a series after losing the first Test. Last time they did so was in 1982 when they won the series when it was 1-0 in the opening Test.	
AUSTRALIA 1986-87	
First Test (Brisbane); England 246 & 77-3; Australia 248 & 202	
England won by seven wickets	
Second Test (Perth); England 2-1	
Pakistan 1987-88	
First Test (Lahore); England 175 & 130; Pakistan 169 by an innings and 87 runs	
Second Test (Karachi); England 1-2	
New Zealand 1987-88	
First Test (Christchurch); England 215 & 152; New Zealand 168 & 130-4	
Match drawn	
Series drawn	
West Indies 1988-89	
First Test (Nagpur, Jaislamer); West Indies 164 & 240; England 364 & 41-2	
England won by nine wickets	
England lost series 2-1	
Australia 1989-90	
First Test (Edinburgh); England 194 & 154; Australia 152 & 157-0	
England lost by ten wickets	
England lost series 0-2	
South Africa 1990-91	
First Test (Pretoria); England 154 & 154; South Africa 152 & 154	
Match drawn	
Series drawn	
West Indies 1991-92	
First Test (Kingsbridge, Jamaica); West Indies 164 & 240; England 364 & 41-2	
England won by nine wickets	
England lost series 2-1	
Australia 1992-93	
First Test (Edinburgh); England 301-9; South Africa 290 & 99	
Match drawn	
Series drawn	
West Indies 1992-93	
First Test (Nagpur, Jaislamer); West Indies 164 & 240	
England won by an innings and 87 runs	
England lost series 2-1	
New Zealand 1992-93	
First Test (Wellington); England 246 & 246	
England won by an innings and 87 runs	
England lost series 0-2	
South Africa 1993-94	
First Test (Pretoria); England 154 & 154	
South Africa 152 & 154	
Match drawn	
Series drawn	
West Indies 1993-94	
First Test (Nagpur, Jaislamer); West Indies 164 & 240	
England won by an innings and 87 runs	
England lost series 0-2	
South Africa 1994-95	
First Test (Pretoria); England 154 & 154	
South Africa 152 & 154	
Match drawn	
Series drawn	
West Indies 1994-95	
First Test (Nagpur, Jaislamer); West Indies 164 & 240	
England won by an innings and 87 runs	
England lost series 0-2	
South Africa 1995-96	
First Test (Pretoria); England 154 & 154	
South Africa 152 & 154	
Match drawn	
Series drawn	
West Indies 1995-96	
First Test (Nagpur, Jaislamer); West Indies 164 & 240	
England won by an innings and 87 runs	
England lost series 0-2	
South Africa 1996-97	
First Test (Pretoria); England 154 & 154	
South Africa 152 & 154	
Match drawn	
Series drawn	